

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 17, 1999

The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Representative Arlon Lindner, District 33A, Corcoran, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorman	Holberg	Lieder	Otremba	Stanek
Abrams	Dorn	Holsten	Lindner	Ozment	Stang
Anderson, B.	Entenza	Howes	Luther	Paulsen	Storm
Anderson, I.	Erhardt	Huntley	Mahoney	Pawlenty	Swenson
Bakk	Erickson	Jaros	Mares	Paymar	Sykora
Biernat	Finseth	Jennings	Mariani	Pelowski	Tingelstad
Bishop	Folliard	Johnson	Marko	Peterson	Tomassoni
Boudreau	Fuller	Juhnke	McCollum	Pugh	Trimble
Bradley	Gerlach	Kahn	McElroy	Rest	Tuma
Broecker	Gleason	Kalis	McGuire	Reuter	Tunheim
Buesgens	Goodno	Kelliher	Milbert	Rhodes	Van Dellen
Carlson	Gray	Kielkucki	Molnau	Rifenberg	Vandever
Carruthers	Greenfield	Knoblach	Mulder	Rostberg	Wagenius
Cassell	Greiling	Koskinen	Mullery	Rukavina	Wejzman
Chaudhary	Gunther	Krinkie	Murphy	Schumacher	Wenzel
Clark, J.	Haake	Kubly	Ness	Seagren	Westerberg
Clark, K.	Haas	Kuisle	Nornes	Seifert, J.	Westfall
Daggett	Hackbarth	Larsen, P.	Olson	Seifert, M.	Westrom
Davids	Harder	Larson, D.	Opatz	Skoe	Wilkin
Dawkins	Hasskamp	Leighton	Orfield	Skoglund	Wolf
Dehler	Hausman	Lenczewski	Osskopp	Smith	Workman
Dempsey	Hilty	Leppik	Osthoff	Solberg	Spk. Sviggum

A quorum was present.

Munger and Winter were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. McGuire moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 129 and H. F. No. 53, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Biernat moved that S. F. No. 129 be substituted for H. F. No. 53 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 333 and H. F. No. 112, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bishop moved that the rules be so far suspended that S. F. No. 333 be substituted for H. F. No. 112 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 609 and H. F. No. 564, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Ozment moved that S. F. No. 609 be substituted for H. F. No. 564 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1176 and H. F. No. 1151, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Howes moved that S. F. No. 1176 be substituted for H. F. No. 1151 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 15, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 248, relating to financial institutions; permitting location of a branch bank in the town of Crooked Lake under certain conditions.

H. F. No. 214, relating to health; modifying volunteer ambulance attendant provisions.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
	248	7	2:30 p.m. March 15	March 15
	214	8	2:32 p.m. March 15	March 15
464		9	2:33 p.m. March 15	March 15
73		10	2:34 p.m. March 15	March 15
343		11	2:35 p.m. March 15	March 15

Sincerely,

MARY KIFFMEYER
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 16, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 49, relating to public employees; making certain changes relating to health coverage for survivors of police officers and firefighters killed in the line of duty.

H. F. No. 302, relating to municipal contracting; authorizing ambulance services to participate in shared service purchasing.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
	49	12	2:15 p.m. March 16	March 16
	302	13	2:20 p.m. March 16	March 16
301		14	2:23 p.m. March 16	March 16

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 7, A bill for an act relating to motor vehicles; modifying the motor vehicle emissions inspection program and providing for termination of inspection by July 1, 2000, or earlier if redesignated to attainment for carbon monoxide before July 1, 2000; amending Minnesota Statutes 1998, sections 116.60, subdivision 1, and by adding a subdivision; 116.61, subdivision 1, and by adding a subdivision; 116.62, subdivisions 2, 3, 5, and by adding a subdivision; and 116.63, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 2, line 21, delete "July" and insert "January"

Page 4, line 25, delete "July" and insert "January"

Page 6, after line 32, insert:

"Sec. 12. [REPEALER.]

Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 116.63; and 116.64, are repealed."

Page 6, line 33, delete "12" and insert "13"

Page 6, line 34, after the period, insert "Section 12 is effective January 1, 2000."

Amend the title as follows:

Page 1, lines 4 and 6, delete "July" and insert "January"

Page 1, line 12, before the period, insert "; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 116.63; and 116.64"

With the recommendation that when so amended the bill pass.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 43, A bill for an act relating to appropriations; authorizing state bonds; appropriating money for wastewater infrastructure funding for the Green Lake Sanitary Sewer and Water Project.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 73, A bill for an act relating to the year 2000 problem; providing certain immunities; providing for the time of trial of Y2K processing actions; providing for referral of such actions to a panel of the district court; providing additional circumstances in which an emergency can be declared; providing authority to local government units to address the year 2000 problem; requiring reports by certain utilities and health care and nursing home providers; requiring the department of health to collect and disseminate certain information; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 604B.

Reported the same back with the following amendments:

Page 4, delete section 4 and insert:

"Sec. 4. [YEAR 2000 PROBLEM REPORTS.]

All electric utilities, as defined in Minnesota Statutes, section 216B.38, subdivision 5, and telephone companies, as defined in Minnesota Statutes, section 237.01, subdivisions 2 and 3, must file status reports on year 2000 problems with the public utilities commission and the department of public service, with a copy to the division of emergency

management of the department of public safety, on June 1, September 1, and December 1, 1999. The status report must include a statement of the percentage of the year 2000 problem inventory remediated, a schedule for completing assessment, testing and remediation, and summary contingency plans related to the risk of loss of service. The department may request further reports, as necessary. If a report indicates that all year 2000 problems have been remediated, an entity need not file a subsequent report unless there has been a change."

Page 7, line 16, before "The" insert "(a)"

Page 7, after line 19, insert:

"(b) All reports provided under sections 4 and 7 shall be considered Year 2000 Readiness Disclosures."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 82, A bill for an act relating to appropriations; prohibiting use of state appropriations for art in state correctional facilities; amending Minnesota Statutes 1998, section 16B.35, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, delete "a" and insert "this"

Page 1, line 11, after "in" insert "or on the grounds of"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 177, A bill for an act relating to health; prohibiting partial-birth abortions; providing criminal and civil penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 3, line 1, delete "or reckless"

Page 3, after line 36, insert:

"Sec. 7. [OUTREACH TO PHYSICIANS.]

The commissioner of health shall plan and conduct outreach activities to educate physicians about the requirements of Minnesota Statutes, sections 145.4201 to 145.4206. In conducting outreach, the commissioner shall disseminate at least two notices to physicians explaining the requirements of Minnesota Statutes, sections 145.4201

to 145.4206, and may conduct other outreach activities as the commissioner deems necessary. The commissioner shall establish the timing and form of the outreach activities required under this section, except that outreach activities must be completed by July 1, 2000."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 178, A bill for an act relating to health; requiring informed consent of a female upon whom an abortion is performed; providing civil remedies; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 186, A bill for an act relating to insurance; mandating coverage for cochlear implants; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 270, A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

Reported the same back with the following amendments:

Page 1, line 13, reinstate the stricken language

Page 1, line 14, reinstate everything before the stricken "\$2,000,000"

Page 1, line 15, before "and" insert "\$3,000,000,"

Page 1, lines 16 to 19, delete the new language

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 288, A bill for an act relating to appropriations; appropriating money to the Minnesota pollution control agency for equipment purchase and distribution, planning, and response training relating to emergency spill response on the Mississippi river; amending Minnesota Statutes 1998, section 115C.08, subdivision 4.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, line 24, delete "petroleum tank" and insert "general"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, delete everything after "river" and insert a period

Page 1, delete line 7

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 294, A bill for an act relating to disasters; providing for aid to political subdivisions for certain extraordinary disaster expenses; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 12.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary Finance.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 377, A bill for an act relating to health; requiring reporting on notification that is required before an abortion is performed on a minor or certain other women; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 1, line 23, after "physician's" insert "or reporting facility's"

Page 1, line 24, before the semicolon, insert "from the reporting physician or reporting physician's facility, or from the reporting facility"

Page 2, delete lines 8 to 10 and insert:

"(3) the number of abortions performed by the physician for which judicial authorization was received and for which the notification described in section 144.343, subdivision 2, was not provided;"

Page 2, line 16, delete "ethnic background" and insert "race"

Page 2, delete lines 23 to 34 and insert:

"Subd. 2. [FORMS TO PHYSICIANS AND FACILITIES.] Physicians and facilities required to report under subdivision 3 shall obtain reporting forms from the commissioner."

Page 2, line 35, delete everything after the headnote and insert "(a) The following physicians or facilities must submit the forms to the commissioner no later than April 1 for abortions performed in the previous calendar year:

(1) a physician who provides, or whose agent provides, the notice described in section 144.343, subdivision 2, or the facility at which such notice is provided; and

(2) a physician who knowingly performs an abortion upon a minor or a woman for whom a guardian or conservator has been appointed according to sections 525.54 to 525.551 because of a finding of incompetency, or a facility at which such an abortion is performed.

(b) The commissioner shall maintain as confidential, data which alone or in combination may constitute information that would reasonably lead, using epidemiologic principles, to the identification of:

(1) an individual who has had an abortion, who has received judicial authorization for an abortion, or to whom the notice described in section 144.343, subdivision 2, has been provided; or

(2) a physician or facility required to report under paragraph (a)."

Page 2, delete line 36

Page 3, delete lines 1 to 6

Page 3, line 7, after the headnote insert "(a)"

Page 3, lines 10, 15, and 18, after "physician" insert "or facility"

Page 3, after line 20, insert:

"(b) Notwithstanding section 13.39, data related to actions taken by the commissioner to enforce any provision of this section is private data if the data, alone or in combination, may constitute information that would reasonably lead, using epidemiologic principles, to the identification of:

(1) an individual who has had an abortion, who has received judicial authorization for an abortion, or to whom the notice described in section 144.343, subdivision 2, has been provided; or

(2) a physician or facility required to report under subdivision 3."

Page 4, line 14, delete everything after the period

Page 4, delete lines 15 to 18 and insert:

"(c) The commissioner shall ensure that all statistical information included in the public reports are presented so that the data cannot reasonably lead, using epidemiologic principles, to the identification of:

(1) an individual who has had an abortion, who has received judicial authorization for an abortion, or to whom the notice described in section 144.343, subdivision 2, has been provided; or

(2) a physician or facility who has submitted a form to the commissioner under subdivision 3."

Page 4, line 21, delete "or consolidate the forms" and insert ", consolidate the forms created according to subdivision 1 with the reporting form created according to section 145.4131, or consolidate"

Page 4, line 22, delete the first "or"

Page 4, line 23, after "savings" insert ", to allow physicians and facilities to submit all information collected by the commissioner regarding abortions at one time,"

Page 4, line 24, delete everything after "as"

Page 4, line 25, delete "state at least once a year and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 408, A bill for an act relating to health; modifying the definition of practice of pharmacy; defining patient counseling; amending Minnesota Statutes 1998, section 151.01, subdivision 27, and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 151.01, subdivision 27, is amended to read:

Subd. 27. [PRACTICE OF PHARMACY.] "Practice of pharmacy" means:

- (1) ~~the~~ interpretation and evaluation of ~~prescriptions or~~ prescription drug orders;
- (2) ~~the~~ compounding, labeling, and dispensing, ~~or labeling~~ of drugs and devices (except labeling by a manufacturer or packager of nonprescription drugs or commercially packaged legend drugs and devices);
- (3) ~~the~~ participation in clinical interpretations and monitoring of drug therapy for assurance of safe and effective use of drugs;
- (4) participation in drug and therapeutic device selection and; drug administration for first dosage and medical emergencies; drug utilization regimen reviews; and drug or drug-related research;
- (5) participation in the practice of managing drug therapy and modifying drug therapy, according to section 151.21, subdivision 1, on a case-by-case basis according to a written protocol between the specific pharmacist and the individual dentist, optometrist, physician, podiatrist, or veterinarian who is responsible for the patient's care and authorized to independently prescribe drugs. Any significant changes in drug therapy must be reported by the pharmacist to the patient's medical record;
- (6) participation in the storage of drugs and the maintenance of records ~~therefor;~~
- (6) ~~the~~ (7) responsibility for advising participation in patient counseling on therapeutic values, content, hazards, and uses of drugs and devices; and

~~(7) the~~ (8) offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management, and control of a pharmacy."

Delete the title and insert:

"A bill for an act relating to health; modifying the definition of practice of pharmacy; amending Minnesota Statutes 1998, section 151.01, subdivision 27."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 467, A bill for an act relating to human services; allowing nursing facilities exemption from Medicare certification under certain circumstances; amending Minnesota Statutes 1998, section 256B.48, subdivision 6.

Reported the same back with the following amendments:

Page 2, line 3, after the semicolon, insert "and"

Page 2, line 5, delete "; and" and insert a period

Page 2, delete lines 6 and 7

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 484, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 1998, sections 204C.19, subdivision 2; 204C.27; 204C.33; 204D.11, by adding a subdivision; 204D.15; 204D.16; and 204D.165; proposing coding for new law in Minnesota Statutes, chapter 3B.

Reported the same back with the following amendments:

Page 1, lines 18 and 25, delete "a" and insert "the state"

Page 2, line 9, delete "or law repealed"

Page 2, line 10, delete everything before "before" and insert "nor may a law repealed by initiative be enacted again, either under this section or the other provisions of article IV," and after "second" insert "state"

Page 2, line 26, delete "become" and insert "be placed on the ballot at the state general election and becomes"

Page 2, line 32, after "same" insert "state"

Page 2, line 34, delete "on the question" and insert "at the election"

Page 3, delete lines 19 and 20

Renumber the remaining subdivisions in sequence

Page 7, line 8, before "Not" insert "Within 30 days after a petition is filed under section 3B.38 but"

Page 9, line 8, after the second "the" insert "state"

Page 9, line 12, after "next" insert "state"

Page 9, line 15, after "that" insert "state"

Page 9, line 24, after "in" insert "state"

Page 9, line 27, after "last" insert "state"

Page 9, line 35, after "a" insert "state"

Page 10, delete section 18

Page 10, line 36, after "next" insert "state"

Page 11, line 10, after "guide" insert "and make available written procedures"

Page 11, line 14, delete everything after "who"

Page 11, line 15, delete everything before "to" and insert "causes"

Page 11, line 22, delete everything after "display"

Page 11, delete line 23

Page 11, line 24, delete everything before "the"

Page 11, line 25, delete "any other" and insert "the"

Page 18, line 27, delete "36" and insert "35"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 537, A bill for an act relating to health; allowing complementary and alternative health care practitioners to practice in certain circumstances; creating informed consent and notice requirements; establishing civil penalties; amending Minnesota Statutes 1998, section 147.09; proposing coding for new law as Minnesota Statutes, chapter 146A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [146A.01] [CITATION.]

This chapter may be cited as the Complementary and Alternative Health Care Freedom of Access Act.

Sec. 2. [146A.02] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For purposes of this chapter, the following terms have the meanings given to them.

Subd. 2. [COMPLEMENTARY AND ALTERNATIVE HEALTH CARE CLIENT OR CLIENT.] "Complementary and alternative health care client" or "client" means an individual who receives services from an unlicensed complementary and alternative health care practitioner.

Subd. 3. [COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTICES.] (a) "Complementary and alternative health care practices" means the broad domain of complementary and alternative healing methods, treatments, and resources, including, but not limited to: (1) acupressure; (2) anthroposophy; (3) aroma therapy; (4) ayurvedic medicine; (5) cranial sacral therapy; (6) culturally traditional healing practices; (7) detoxification practices and therapies; (8) energetic healing; (9) environmental medicine; (10) folk medicine; (11) healing practices utilizing food, food supplements, nutrients, and the physical forces of heat, cold, water, touch, and light; (12) Gerson therapy and colostrum therapy; (13) healing touch; (14) herbal medicine; (15) homeopathy; (16) iridology; (17) body work, massage, and massage therapy; (18) meditation; (19) mind-body healing practices; (20) naturopathy; (21) noninvasive instrumentalities; (22) traditional Oriental practices, such as Qi Gong energy healing; and (23) other health care and healing practices and resources pursued by clients for the purpose of preventing or treating illness or promoting health and well-being.

(b) Complementary and alternative health care practices, in and of themselves, do not include surgery, x-ray radiation, administering or dispensing legend drugs and controlled substances, practices that invade the human body by puncture of the skin, or the manipulation or adjustment of articulations of joints or the spine as described in section 146.23 or 148.01.

(c) Complementary and alternative health care practices do not include practices that are permitted under section 147.09, clause (11), or 148.271, clause (5).

Subd. 4. [UNLICENSED COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONER.] "Unlicensed complementary and alternative health care practitioner" means a person who is:

(1) not licensed or registered by a health-related licensing board, as defined in section 214.01, or by the commissioner of health;

(2) engaging in complementary and alternative health care practices; and

(3) engaging in complementary and alternative health care practices for remuneration, or holding out to the public as a practitioner of complementary and alternative health care practices.

Sec. 3. [146A.03] [PRACTITIONER RIGHTS AND RESPONSIBILITIES.]

An unlicensed complementary and alternative health care practitioner has the right to engage in complementary and alternative health care practices if:

(1) the practitioner provides the appropriate disclosures, notices, and informed consent required under section 146A.04 to the client before treatment commences; and

(2) the practitioner receives the informed consent form back from the client, signed and dated by the client, before treatment commences.

Sec. 4. [146A.04] [DISCLOSURES, NOTICES, AND INFORMED CONSENT.]

(a) Before providing treatment to a client, an unlicensed complementary and alternative health care practitioner must provide the following information in writing to the client:

(1) the practitioner's professional title and health care services available from the practitioner;

(2) the practitioner's education, experience, and training, and any credentials, continuing education, and professional affiliations related to the complementary and alternative health care practices in which the practitioner engages; and

(3) information regarding the fee schedule, billing practices, and insurance reimbursement.

(b) Before providing treatment to a client, an unlicensed complementary and alternative health care practitioner must inform the client of the following:

(1) the nature and purpose of the proposed treatment or procedure;

(2) the benefits that may most likely be expected from the proposed treatment or procedure; and

(3) the significant risks and side effects associated with the proposed treatment or procedure.

(c) Before providing treatment to a client, an unlicensed complementary and alternative health care practitioner must provide the following informed consent form to the client and must receive the signed, dated form back from the client:

"I..... Client (or client's legal guardian), hereby authorize Practitioner, to provide complementary and alternative health care to me.

The complementary and alternative health care practitioner has provided information to me in writing about the practitioner's education, experience, and training; the services the practitioner provides; and information regarding fees, billings, and insurance practices. The practitioner has discussed with me the nature and purpose of the proposed treatment; the benefits that may most likely be expected; and the common risks and side effects associated with the treatment. I have had sufficient opportunity to discuss my condition and treatment with the health care practitioner, and all of my questions have been answered to my satisfaction. I believe that I have adequate information about the proposed course of treatment and that I understand this information.

I understand that THE STATE OF MINNESOTA HAS NOT ADOPTED UNIFORM EDUCATIONAL AND QUALIFICATION STANDARDS FOR COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONERS. THE PRACTITIONER'S STATEMENT OF CREDENTIALS IS FOR INFORMATIONAL PURPOSES ONLY. I understand that I can direct my complaints regarding complementary and alternative health care practitioners to the office of health care consumer assistance, advocacy, and information at the Minnesota department of health.

I understand that (1) the practitioner is not credentialed in the state of Minnesota to practice medicine, chiropractic, osteopathy, nursing, physical therapy, dietetics or nutrition practice, or acupuncture practice; (2) the practitioner may provide me with personal consultations, screenings, assessments, an explanation of the practitioner's method of detection and assessment of my health problems and concerns, educational services, and recommendations regarding the complementary and alternative health care practice to be used; and (3) these actions do not constitute a diagnosis from a licensed physician, chiropractor, or acupuncture practitioner.

I understand that if I desire a diagnosis from a licensed physician, chiropractor, or acupuncture practitioner, or services from a physician, chiropractor, nurse, osteopath, physical therapist, dietitian, nutritionist, acupuncture practitioner, or any other type of health care provider, I may seek such services at any time.

I understand that my health care records and communications and transactions with the practitioner shall be kept confidential, unless I authorize the release of records in writing or as otherwise provided by law.

I understand that if I decide to act on the proposed assessment, treatment, or recommendations of this health care practitioner, I do so at my own risk. I hereby accept these possible risks and limitations.

.....
Client or Legal Guardian's Signature

.....
Date"

Sec. 5. [146A.05] [SANCTIONS AGAINST PRACTITIONERS LIMITED.]

(a) No civil remedy or disciplinary action may be sought or imposed against an unlicensed complementary and alternative health care practitioner by the state, a political subdivision of the state, or a health-related licensing board based on section 214.11 or 214.131 or other civil action unless the state, political subdivision, or licensing board can demonstrate by a preponderance of the evidence that:

(1) there was no informed consent as required under section 146A.04; or

(2) the treatment method, when used as directed by the complaining client, caused serious, direct, physical or mental harm; the harm occurred as a result of the complementary and alternative health care practice in and of itself; and the client would not have otherwise suffered the harm.

(b) No criminal sanction may be sought or imposed against an unlicensed complementary and alternative health care practitioner by the state, a political subdivision of the state, or a health-related licensing board for practicing medicine without a license under section 147.081, subdivision 3, clause (3).

(c) A client's choice to delay the use of conventional medical care and receive complementary and alternative health care practices is not, in and of itself, evidence of harm.

Sec. 6. [146A.06] [PROFESSIONAL CONDUCT; UNLICENSED COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONERS.]

Subdivision 1. [PROHIBITED CONDUCT.] The following conduct by an unlicensed complementary and alternative health care practitioner is prohibited:

(1) engaging in sexual conduct with a client unless the client is the practitioner's spouse or current or former sexual partner, engaging in any verbal behavior that is seductive or sexually demeaning to a client, or engaging in sexual exploitation of a client;

(2) improper or unauthorized personal or other use of any legend drugs as defined in section 151.01 or any controlled substances as defined in section 152.01;

(3) revealing a communication from or relating to a client without the client's express written authorization; or

(4) splitting fees or promising to pay a portion of a fee to anyone other than for services rendered to a client by another health care practitioner.

Subd. 2. [PROHIBITED PRACTICE.] An unlicensed complementary and alternative health care practitioner is prohibited from engaging in complementary and alternative health care practices if the practitioner:

(1) was convicted of a crime within the past five years, including a finding or verdict of guilt, an admission of guilt, or a no contest plea, in any court in Minnesota or any other jurisdiction in the United States, reasonably related to engaging in complementary and alternative health care practices. Conviction, as used in this clause, includes a conviction of an offense which, if committed in this state, would be deemed a felony or gross misdemeanor without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is made or returned but the adjudication of guilt is either withheld or not entered;

(2) was convicted of criminal acts against persons within the past five years. For purposes of this clause, a crime against a person means violations of the following: sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.221; 609.222; 609.223; 609.224; 609.2242; 609.23; 609.231; 609.2325; 609.233; 609.2335; 609.235; 609.24; 609.245; 609.25; 609.255; 609.26, subdivision 1, clause (1) or (2); 609.265; 609.342; 609.343; 609.344; 609.345; 609.365; 609.498, subdivision 1; 609.50, subdivision 1, clause (1); 609.561; 609.562; 609.595; and 609.72, subdivision 3; or

(3) is currently adjudicated as mentally incompetent or as a person who is dangerous to self, or adjudication pursuant to chapter 253B as chemically dependent, mentally retarded, mentally ill and dangerous to the public, or a sexual psychopathic personality or sexually dangerous person.

Subd. 3. [ENFORCEMENT.] A city attorney or county attorney shall enforce the provisions of subdivisions 1 and 2 by seeking civil penalties against, or by seeking injunctive relief to enjoin, limit, or condition the practice of, any unlicensed complementary and alternative health care practitioner who violates any provision of subdivision 1 or 2. A client with a complaint about the care received from an unlicensed complementary and alternative health care practitioner may contact the office of health care consumer assistance, advocacy, and information established under sections 62J.77 to 62J.79 regarding the complaint.

Sec. 7. Minnesota Statutes 1998, section 147.09, is amended to read:

147.09 [EXEMPTIONS.]

Section 147.081 does not apply to, control, prevent or restrict the practice, service, or activities of:

(1) A person who is a commissioned medical officer of, a member of, or employed by, the armed forces of the United States, the United States Public Health Service, the Veterans Administration, any federal institution or any federal agency while engaged in the performance of official duties within this state, if the person is licensed elsewhere.

(2) A licensed physician from a state or country who is in actual consultation here.

(3) A licensed or registered physician who treats the physician's home state patients or other participating patients while the physicians and those patients are participating together in outdoor recreation in this state as defined by section 86A.03, subdivision 3. A physician shall first register with the board on a form developed by the board for that purpose. The board shall not be required to promulgate the contents of that form by rule. No fee shall be charged for this registration.

(4) A student practicing under the direct supervision of a preceptor while the student is enrolled in and regularly attending a recognized medical school.

(5) A student who is in continuing training and performing the duties of an intern or resident or engaged in postgraduate work considered by the board to be the equivalent of an internship or residency in any hospital or institution approved for training by the board, provided the student has a residency permit issued by the board under section 147.0391.

(6) A person employed in a scientific, sanitary, or teaching capacity by the state university, the department of children, families, and learning, or by any public or private school, college, or other bona fide educational institution, or the state department of health, whose duties are entirely of a public health or educational character, while engaged in such duties.

(7) Physician's assistants registered in this state.

(8) A doctor of osteopathy duly licensed by the state board of osteopathy under Minnesota Statutes 1961, sections 148.11 to 148.16, prior to May 1, 1963, who has not been granted a license to practice medicine in accordance with this chapter provided that the doctor confines activities within the scope of the license.

(9) Any person licensed by a health related licensing board, as defined in section 214.01, subdivision 2, or registered by the commissioner of health pursuant to section 214.13, including psychological practitioners with respect to the use of hypnosis; provided that the person confines activities within the scope of the license.

(10) A person who practices ritual circumcision pursuant to the requirements or tenets of any established religion.

(11) A Christian Scientist or other person who endeavors to prevent or cure disease or suffering exclusively by mental or spiritual means or by prayer.

(12) A physician licensed to practice medicine in another state who is in this state for the sole purpose of providing medical services at a competitive athletic event. The physician may practice medicine only on participants in the athletic event. A physician shall first register with the board on a form developed by the board for that purpose. The board shall not be required to adopt the contents of the form by rule. The physician shall provide evidence satisfactory to the board of a current unrestricted license in another state. The board shall charge a fee of \$50 for the registration.

(13) A psychologist licensed under section 148.907 or a social worker licensed under section 148B.21 who uses or supervises the use of a penile or vaginal plethysmograph in assessing and treating individuals suspected of engaging in aberrant sexual behavior and sex offenders.

(14) Any person issued a training course certificate or credentialed by the emergency medical services regulatory board established in chapter 144E, provided the person confines activities within the scope of training at the certified or credentialed level.

(15) An unlicensed complementary and alternative health care practitioner practicing according to chapter 146A."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 566, A bill for an act relating to health plans; regulating contract stacking; providing a remedy; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [62Q.68] [NETWORK SHADOW CONTRACTING.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Category of coverage" means one of the following types of health-related coverage:

(1) health;

(2) no-fault automobile medical benefits; or

(3) worker's compensation medical benefits.

(c) "Health care provider" or "provider" has the meaning given in section 148.01.

(d) "Network organization" means a preferred provider organization as defined in section 145.61, subdivision 4c; a managed care organization as defined in section 62Q.01, subdivision 5; or other entity that uses or consists of a network of health care providers; but does not include a nonprofit health service plan corporation operating under chapter 62C or its affiliates.

Subd. 2. [PROVIDER CONSENT REQUIRED.] (a) No network organization shall require a health care provider to participate in a network under a category of coverage that differs from the category or categories of coverage to which the existing contract between the network organization and the provider applies, without the consent of the provider obtained under subdivision 3.

(b) This section does not apply to situations in which the network organization wishes the provider to participate in a new or different plan or other arrangement within a category of coverage that is already provided for in an existing contract between the network organization and the provider.

(c) Compliance with this section may not be waived in a contract or otherwise.

Subd. 3. [CONSENT PROCEDURE.] (a) The network organization, if it wishes to apply an existing contract with a provider to a different category of coverage, shall first notify the provider in writing. The written notice must include at least the following:

(1) the network organization's name, address, and telephone number, and the name of the specific network, if it differs from that of the network organization;

(2) a description of the proposed new category of coverage;

(3) the names of all payers expected by the network organization to use the network for the new category of coverage;

(4) the approximate number of current enrollees of the network organization in that category of coverage within the provider's geographical area;

(5) a disclosure of all contract terms of the proposed new category of coverage, including the discount or reduced fees, care guidelines, utilization review criteria, prior authorization process, and dispute resolution process;

(6) a form for the provider's convenience in accepting or declining participation in the proposed new category of coverage, provided that the provider need not use that form in responding; and

(7) a statement informing the provider of the provisions of paragraph (b).

(b) If the provider does not decline participation within 30 days after the postmark date of the notice, the provider is deemed to have accepted the proposed new category of coverage.

Subd. 4. [CONTRACT TERMINATION RESTRICTED.] A network organization must not terminate an existing contract with a provider, or fail to honor the contract in good faith, based solely on the provider's decision not to accept a proposed new category of coverage. The most recent agreed-upon contractual obligations remain in force until the existing contract's renewal or termination date.

Subd. 5. [REMEDY.] If a network organization violates this section by reimbursing a provider as if the provider had agreed under this section to participate in the network under a category of coverage to which the provider has not agreed, the provider has a cause of action against the network organization to recover two times the difference between the reasonable charges for claims affected by the violation and the amounts actually paid to the provider. The provider is also entitled to recover costs, disbursements, and reasonable attorney fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for contracts entered into or renewed after August 1, 1999."

Amend the title as follows:

Page 1, line 2, delete "contract"

Page 1, line 3, delete "stacking" and insert "network shadow contracting"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 595, A bill for an act relating to economic development; imposing a specific standard of proof for certain petrofund reimbursement reductions; providing reimbursement for certain bulk petroleum plants upgrading or closing aboveground storage tanks; regulating the cleanup of contaminated land; amending Minnesota Statutes 1998, sections 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 116J.562, subdivision 2; and 116J.567.

Reported the same back with the following amendments:

Page 5, line 31, strike "(3)" and insert "(5)"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Policy.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 614, A bill for an act relating to health; expanding the reserve corridor for community integrated service networks; modifying the definition of review organization; amending Minnesota Statutes 1998, sections 62N.28, subdivision 5; and 145.61, subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 648, A bill for an act relating to education; amending Minnesota state high school league provisions; providing for a high school league ombudsperson; amending Minnesota Statutes 1998, sections 43A.18, subdivision 4a; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; and 128C.20; proposing coding for new law in Minnesota Statutes, chapter 128C.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on K-12 Education Finance.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 710, A bill for an act relating to natural resources; permitting the harvesting of farmed cervidae on licensed shooting preserves; amending Minnesota Statutes 1998, sections 17.451, subdivision 2; and 17.452, subdivisions 5 and 8; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture and Rural Development Finance.

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 743, A bill for an act relating to consumer protection; regulating residential real estate transactions; requiring closing agents to file certain documents; requiring certain disclosures to prospective purchasers; amending Minnesota Statutes 1998, section 325F.69, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 82.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [82B.201] [CRIMINAL PENALTY.]

A person who violates any provision of this chapter is guilty of a gross misdemeanor.

Sec. 2. [APPROPRIATION.]

\$100,000 is appropriated from the real estate education, research, and recovery fund established under Minnesota Statutes, section 82.34, to the department of commerce for an educational campaign aimed at stopping the fraudulent practice known commonly as mortgage flipping. The department is directed to develop a public awareness campaign targeted to the communities hardest hit by this practice. The department is further directed to solicit contributions to this campaign from trade organizations, banks, mortgage companies, and foundations to supplement the program. The materials shall be prepared in multiple languages as necessary. The appropriation is available until expended.

Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to commerce; providing an appropriation for an education campaign on mortgage flipping; establishing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 82B."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Crime Prevention.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 747, A bill for an act relating to alcoholic beverages; increasing minimum coverage amounts for mandatory dram shop liability insurance; amending Minnesota Statutes 1998, section 340A.409, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1998, section 340A.404, subdivision 10, is amended to read:

Subd. 10. [TEMPORARY ON-SALE LICENSES.] The governing body of a municipality may issue to (1) a club or charitable, religious, or other nonprofit organization in existence for at least three years, (2) a political committee registered under section 10A.14, or (3) a state university, a temporary license for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the licensee. The license may authorize the on-sale of intoxicating liquor for not more than four consecutive days, and may authorize on-sales on premises other than premises the licensee owns or permanently occupies. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full-year on-sale intoxicating liquor license issued by any municipality. The licenses are subject to the terms, including a license fee, imposed by the issuing municipality. Licenses issued under this subdivision are subject to all laws and ordinances governing the sale of intoxicating liquor except ~~sections 340A.409 and section~~ 340A.504, subdivision 3, paragraph (d), and those laws and ordinances which by their nature are not applicable. Licenses under this subdivision are not valid unless first approved by the commissioner of public safety.

A county under this section may issue a temporary license only to a premises located in the unincorporated or unorganized territory of the county."

Page 1, line 7, delete "Section 1." and insert "Sec. 2."

Page 2, line 17, reinstate the stricken language and delete the new language

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "requiring dram shop liability insurance for holders of temporary on-sale intoxicating liquor licenses;"

Page 1, line 4, delete "section" and insert "sections 340A.404, subdivision 10; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 807, A bill for an act relating to health; expanding the use of the rural hospital planning and transition grant program; expanding medical assistance coverage to include telemedicine conferences; changing the hospital outpatient fee medical assistance payment for designated critical access hospitals to a cost base; establishing uniform billing standards for health care providers; appropriating money; amending Minnesota Statutes 1998, sections 144.147; 256B.0625, by adding a subdivision; 256B.75; and 256D.03, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1998, sections 144.1475; and 144.148.

Reported the same back with the following amendments:

Page 6, delete lines 18 to 27 and insert:

"Subd. 8b. [TELEMEDICINE CONSULTATIONS.] Medical assistance covers telemedicine consultations. Telemedicine consultations may be made via two-way, interactive video or store-and-forward technology. Payments will be made to both the referring provider and the consulting physician specialist. Physician specialist includes any physician consulting with an emergency department provider."

Page 7, line 12, after "outpatient" insert ", emergency, and ambulatory surgery"

Page 7, line 15, before the period, insert "that is based on the cost-finding methods and allowable costs of the Medicare program"

Page 8, delete line 36 and insert:

"(22) telemedicine consultations, which may be made via two-way, interactive video or store-and-forward technology. Payments will be made to both the referring provider and the consulting physician specialist. Physician specialist includes any physician consulting with an emergency department provider"

Page 9, delete lines 1 to 7

Page 9, line 8, delete everything before the period

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 817, A bill for an act relating to child custody; expanding provisions for relative ex parte temporary custody; amending Minnesota Statutes 1998, section 518.158, subdivisions 1 and 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 870, A bill for an act relating to insurance; providing an alternative benefit plan for small employers; authorizing a small employer alternative benefit plan pilot project; amending Minnesota Statutes 1998, section 62L.05, subdivision 5, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, delete "100" and insert "50"

Page 2, after line 12, insert:

"Sec. 2. Minnesota Statutes 1998, section 62L.09, subdivision 3, is amended to read:

Subd. 3. [REENTRY PROHIBITION.] (a) Except as otherwise provided in paragraph (b) or (c), a health carrier that ceases to do business in the small employer market after July 1, 1993, is prohibited from writing new business in the small employer market in this state for a period of five years from the date of notice to the commissioner. This subdivision applies to any health maintenance organization that ceases to do business in the small employer market in one service area with respect to that service area only. Nothing in this subdivision prohibits an affiliated health maintenance organization from continuing to do business in the small employer market in that same service area.

(b) The commissioner of commerce or the commissioner of health may permit a health carrier that ceases to do business in the small employer market in this state after July 1, 1993, to begin writing new business in the small employer market if:

(1) since the carrier ceased doing business in the small employer market, legislative action has occurred that has significantly changed the effect on the carrier of its decision to cease doing business in the small employer market; and

(2) the commissioner deems it appropriate.

(c) This subdivision does not apply to the small employer alternative benefit plans pilot project established in section 3."

Page 2, line 17, delete "operate" and insert "develop" and after "project" insert "by January 1, 2000."

Page 2, line 23, after "may" insert "not"

Page 2, line 24, delete everything after the first "employees" and insert a semicolon

Page 3, line 2, delete "2001" and insert "2003"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections"

Page 1, line 6, before the period, insert "; and 62L.09, subdivision 3"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 875, A bill for an act relating to state and local government contracts; providing that bid preferences may not be received by a small business for more than two years; amending Minnesota Statutes 1998, sections 16C.16, by adding a subdivision; 136F.581, subdivision 3; 136F.66; 383A.322; and 471.345, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 12, delete "two" and insert "five"

Page 1, line 13, before the period, insert "beginning with the first contract awarded under the program"

Page 1, line 15, delete "two" and insert "five"

Page 3, line 27, delete "two" and insert "five"

Amend the title as follows:

Page 1, line 4, delete "two" and insert "five"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 878, A bill for an act relating to public administration; making deficiency appropriations for state government operations; appropriating money.

Reported the same back with the following amendments:

Page 1, line 13, delete "4,200,000" and insert "3,500,000"

Page 1, line 14, delete "8,230,000" and insert "11,647,000"

Page 1, line 15, delete "1,000,000" and insert "600,000"

Page 1, after line 19, insert:

"SECRETARY OF STATE 225,000"

Page 1, line 20, delete "14,644,000" and insert "17,186,000"

Page 1, line 21, delete "5,785,000" and insert "4,910,000"

Page 1, line 22, delete "8,230,000" and insert "11,647,000"

Page 1, line 25, delete "14,644,000" and insert "17,186,000"

Page 2, line 3, delete "4,200,000" and insert "3,500,000"

Page 2, line 4, delete "\$4,200,000" and insert "\$3,500,000"

Page 2, line 15, delete "8,230,000" and insert "11,647,000"

Page 2, line 16, delete "\$8,230,000" and insert "\$11,647,000"

Page 2, line 24, delete "1,000,000" and insert "600,000"

Page 2, line 25, delete "\$1,000,000" and insert "\$600,000"

Page 2, line 28, after the period, insert "Notwithstanding Laws 1994, chapter 643, section 27, subdivision 2, as amended by Laws 1996, chapter 463, section 54, the zoological board may institute an admission fee increase before April 1, 2000."

Page 2, line 30, before "\$370,000" insert "(a)"

Page 2, after line 35, insert:

"(b) The commissioner of finance and the commissioner of economic security are directed to review the operation of the state services for the blind to determine why a deficiency occurred and what steps should be taken to prevent a deficiency in the future. The commissioners are to report on this issue to the legislature by January 15, 2000."

Page 2, after line 55, insert:

"Sec. 8. SECRETARY OF STATE

225,000

(a) \$225,000 is added to the appropriations in Laws 1997, chapter 202, article 1, section 7, for modification of business systems to address the year 2000 changes. The secretary of state must appoint a project manager to oversee the modifications of its business systems. A project work plan and schedule must be provided monthly to the year 2000 project office in the department of administration. The secretary of state must develop contingency plans, including plans for funding and staff, to be implemented if the year 2000 modification project does not meet the project schedule agreed to with the department of administration.

(b) In addition to the appropriation under this section, the department of administration must provide \$750,000 of the unexpended balance of the appropriations in Laws 1997, chapter 202, article 1, section 12, subdivision 7, and Laws 1998, chapter 366, article 1, section 6, to the office of the secretary of state for modification of business systems to address the year 2000 changes according to paragraph (a)."

Renumber the sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 949, A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; amending Minnesota Statutes 1998, sections 147.09; 148.30; 148.31; and 148.32; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Rules, parts 5600.2000; and 5600.2100.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [147D.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [ADVISORY COUNCIL.] "Advisory council" means the advisory council of traditional midwifery established under section 147D.25.

Subd. 3. [APPROVED EDUCATION PROGRAM.] "Approved education program" means a university, college, or other education program leading to eligibility for certification in midwifery that is accredited by the Midwifery Education and Accreditation Council (MEAC) or a national accrediting organization approved by the board.

Subd. 4. [BOARD.] "Board" means the board of medical practice.

Subd. 5. [CONTACT HOUR.] "Contact hour" means 50 consecutive minutes, excluding coffee breaks, registration, meals without a speaker, and social activities, of a board-approved learning experience either through an instructional session or clinical practice.

Subd. 6. [CREDENTIAL.] "Credential" means a license, permit, certification, registration, or other evidence of qualification or authorization to engage in the practice of traditional midwifery in this state or any other state.

Subd. 7. [CREDENTIALING EXAMINATION.] "Credentialing examination" means an examination administered by the North American Registry of Midwives (NARM) or other national testing organization approved by the board for credentialing as a licensed traditional midwife. A credentialing examination must include a written examination and a skills assessment.

Subd. 8. [NORMAL PREGNANCY.] "Normal pregnancy" means a pregnancy that is progressing and proceeding spontaneously without the need for medical intervention or the use of instruments and where spontaneous onset of labor occurs between 36 and 42 weeks.

Subd. 9. [TRADITIONAL MIDWIFERY SERVICES.] "Traditional midwifery services" means the assessment and care of a woman and newborn during pregnancy, labor, birth, and the postpartum period outside a licensed health facility.

Subd. 10. [TRANSFER OF CARE.] "Transfer of care" means transferring, during the course of pregnancy, the responsibility of providing services to a client from the traditional midwife to a licensed health care provider.

Subd. 11. [TRANSPORT.] "Transport" means the transferring during labor, birth, or the postpartum period of the client from a home setting to a licensed hospital.

Sec. 2. [147D.03] [MIDWIFERY.]

Subdivision 1. [GENERAL.] Within the meaning of sections 147D.01 to 147D.27, a person who shall publicly profess to be a traditional midwife and who, for a fee, shall assist or attend to a woman in pregnancy, childbirth outside a licensed health facility, and postpartum, shall be regarded as practicing traditional midwifery.

Subd. 2. [SCOPE OF PRACTICE.] The practice of traditional midwifery includes, but is not limited to:

(1) initial and ongoing assessment for suitability of traditional midwifery care;

(2) coordinating with a licensed health care provider comprehensive prenatal care with attention to the physical, nutritional, and emotional needs of the woman and her family;

(3) attending and supporting the natural process of labor and birth, including routine monitoring of vital signs, indicators of fetal development, and routine laboratory tests, as needed;

(4) postpartum care of the mother and newborn, including physical and emotional assessment; and

(5) providing information and referrals to community resources on childbirth preparation, breast-feeding, exercise, nutrition, parenting, and care of the newborn.

Subd. 3. [UNAUTHORIZED SERVICES.] The practice of traditional midwifery does not include:

(1) the use of any instrument at a childbirth, except as necessary to sever the umbilical cord or repair a first or second degree perineal laceration;

(2) the assisting of childbirth by artificial or mechanical means; or

(3) the removal of a placenta accreta.

Sec. 3. [147D.05] [PROFESSIONAL CONDUCT.]

Subdivision 1. [PRACTICE STANDARDS.] A licensed traditional midwife shall provide an initial and ongoing screening to ensure that each client receives safe and appropriate care. A licensed traditional midwife shall only accept and provide care to those women who are expected to have a normal pregnancy, labor, and delivery. As part of the initial screening to determine whether any contraindications are present, the traditional midwife must take a detailed health history that includes the woman's social, medical, surgical, menstrual, gynecological, contraceptive, obstetrical, family, nutritional, and drug/chemical use histories. If a licensed traditional midwife determines at any time during the course of the pregnancy that a woman's condition may preclude attendance by a traditional midwife, the traditional midwife must refer the client to a licensed physician or a certified nurse midwife. As part of the initial and ongoing screening, a traditional midwife must recommend that the client receive the following services, if necessary, from an appropriate health care provider:

(1) initial laboratory pregnancy screening, including blood group and type, antibody screen, Indirect Coombs, rubella titer, CBC with differential and syphilis serology;

(2) gonorrhea and chlamydia cultures;

(3) screening for sickle cell, if indicated;

(4) screening for hepatitis B and human immunodeficiency virus (HIV), if indicated;

(5) maternal serum alpha-fetoprotein test and ultrasound;

(6) Rh antibody and glucose screening at 28 weeks gestation;

(7) screening for phenylketonuria;

(8) Rh screening of the infant for maternal RhoGAM treatment, if indicated; and

(9) screening for premature labor.

Subd. 2. [WRITTEN PLAN.] A traditional midwife must prepare a written plan with each client to ensure continuity of care throughout pregnancy, labor, and delivery. The written plan must incorporate the conditions under which the medical consultation plan, including the transfer of care or transport of the client, may be implemented.

Subd. 3. [HEALTH REGULATIONS.] A traditional midwife must comply with all applicable state and municipal requirements regarding public health.

Subd. 4. [CLIENT RECORDS.] A traditional midwife must maintain a client record on each client, including:

- (1) a copy of the informed consent form described in section 147D.07;
- (2) evidence of an initial client screening described in this section;
- (3) a copy of the written plan described in subdivision 2;
- (4) a record of prenatal and postpartum care provided to the client at each visit; and
- (5) a detailed record of the labor and delivery process.

Subd. 5. [DATA.] All records maintained on each client by a traditional midwife are subject to section 144.335.

Sec. 4. [147D.07] [INFORMED CONSENT.]

Subdivision 1. [GENERAL.] Before providing any services to a client, a licensed traditional midwife must:

- (1) advise the client of the information contained in the informed consent form;
- (2) provide the client with an informed consent form; and
- (3) have the form returned with the client's signature attesting that the client understands the consent form and the information contained in the form.

Subd. 2. [CONTENTS.] The informed consent form must be written in language understandable to the client and, at a minimum, must contain the following:

- (1) name, address, telephone number, and license number of the traditional midwife;
- (2) a description of the traditional midwife's education, training, and experience in traditional midwifery;
- (3) the traditional midwife's fees and method of billing;
- (4) the right of the client to file a complaint with the board and the procedures for filing a complaint;
- (5) a description of the traditional midwife's medical consultation plan and the antepartum, intrapartum, and postpartum conditions requiring consultation, transfer of care, or transport to a hospital facility;
- (6) the scope of care and services to be provided to the client by the traditional midwife;
- (7) the available alternatives to traditional midwifery care;
- (8) a statement indicating that the client's records and any transaction with the traditional midwife are confidential;
- (9) a notice that reads: "We realize that there are risks associated with home birth, including the risk of death or disability of either mother or child. We understand that a situation may arise, which requires emergency medical care and that it may not be possible to transport the mother and/or baby to the hospital in time to benefit from such care. We fully accept the outcome and consequences of our decision to have a traditional midwife attend us during pregnancy and at our birth. We realize that our traditional midwife is not licensed to practice medicine. We are not seeking a licensed physician or certified nurse midwife as the primary caregiver for this pregnancy, and we understand that our midwife shall inform us of any observed signs or symptoms of disease, which may require evaluation, care, or treatment by a medical practitioner. We agree that we are totally responsible for obtaining qualified medical assistance for the care of any disease or pathological condition.";

(10) the right of a client to refuse services unless otherwise provided by law;

(11) a disclosure of whether the traditional midwife carries malpractice or liability insurance; and

(12) the client and traditional midwife signatures and date of signing.

Subd. 3. [FILING.] The licensed traditional midwife must have a signed informed consent form on file for each client. Upon request, the traditional midwife must provide a copy of the informed consent form to the board.

Sec. 5. [147D.09] [LIMITATIONS OF PRACTICE.]

(a) A licensed traditional midwife shall not prescribe, dispense, or administer prescription drugs, except as permitted under paragraph (b).

(b) A licensed traditional midwife may administer vitamin K either orally or through intramuscular injection, postpartum antihemorrhagic drugs under emergency situations, local anesthetic, oxygen, and a prophylactic eye agent to the newborn infant.

(c) A licensed traditional midwife shall not perform any operative or surgical procedures except for suture repair of first or second degree perineal lacerations.

Sec. 6. [147D.11] [MEDICAL CONSULTATION PLAN.]

(a) To be eligible for licensure as a traditional midwife, an applicant must develop a medical consultation plan. The plan must describe guidelines and under what conditions the plan is to be implemented for:

(1) consultation with a licensed physician or certified nurse midwife;

(2) the transfer of care to a licensed physician or a certified nurse midwife; and

(3) immediate transport to a licensed hospital with the capabilities of providing neonatal intensive care and obstetrical care.

(b) The conditions requiring the implementation of the medical consultation plan must meet at a minimum the conditions established by the Minnesota Midwives Guild in the Standards of Care and Certification Guide, First Edition.

Sec. 7. [147D.13] [REPORTING.]

Subdivision 1. [PRACTICE REPORT.] (a) A licensed traditional midwife must compile a summary report on each client. The report must include the following:

(1) vital statistics;

(2) scope of care administered;

(3) whether the medical consultation plan was implemented; and

(4) any physician or other health care provider referrals made.

(b) The board may review these reports at any time upon request.

Subd. 2. [PUBLIC HEALTH REPORT.] A licensed traditional midwife must promptly report to the commissioner of health and to the board any maternal, fetal, or neonatal mortality or morbidity.

Subd. 3. [DISCIPLINARY ACTION.] A licensed traditional midwife must report to the board termination, revocation, or suspension of the traditional midwife's certification or any disciplinary action taken against the traditional midwife by the North American Registry of Midwives.

Sec. 8. [147D.15] [PROTECTED TITLES.]

Subdivision 1. [PROTECTED TITLES.] No person may use the title "licensed traditional midwife," or "licensed midwife," or use, in connection with the person's name, the letters "LTM," "LM," or any other titles, words, letters, abbreviations, or insignia indicating or implying that the person is licensed or eligible for licensure by the state as a traditional midwife unless the person has been licensed as a traditional midwife according to this chapter.

Subd. 2. [OTHER HEALTH CARE PRACTITIONERS; STUDENTS.] (a) A physician licensed under chapter 147 and a registered nurse or certified nurse midwife licensed under sections 148.171 to 148.285 are exempt from this chapter.

(b) Nothing in this chapter shall be construed to require licensure of a traditional midwifery student enrolled in an approved education program.

Subd. 3. [PENALTY.] A person who violates this section is guilty of a misdemeanor.

Subd. 4. [EXCEPTIONS.] Nothing in this chapter shall be construed to limit gratuitous traditional midwifery services provided by family members or members of the same religious community.

Sec. 9. [147D.17] [LICENSURE REQUIREMENTS.]

Subdivision 1. [GENERAL REQUIREMENTS FOR LICENSURE.] To be eligible for licensure, an applicant, with the exception of those seeking licensure by reciprocity under subdivision 2, must:

(1) submit a completed application on forms provided by the board along with all fees required under section 147D.27 that includes:

(i) the applicant's name, social security number, home address and telephone number, and business address and telephone number;

(ii) a list of degrees received from educational institutions;

(iii) a description of the applicant's professional training;

(iv) a list of registrations, certifications, and licenses held in other jurisdictions;

(v) a description of any other jurisdiction's refusal to credential the applicant;

(vi) a description of all professional disciplinary actions initiated against the applicant in any jurisdiction; and

(vii) any history of drug or alcohol abuse, and any misdemeanor or felony conviction;

(2) submit a diploma from an approved education program or submit evidence of having completed an apprenticeship;

(3) submit a verified copy of a valid and current credential, issued by the North American Registry of Midwives or other board-approved national organization, as a certified professional midwife;

(4) submit current certification from the American Heart Association or the American Red Cross to perform adult and infant cardiopulmonary resuscitation;

- (5) submit a copy of the applicant's medical consultation plan;
- (6) submit documentation verifying that the applicant has the following practical experience through an apprenticeship or other supervisory setting:
- (i) the provision of 75 prenatal examinations, including 20 initial examinations;
 - (ii) supervised participation in 20 births;
 - (iii) participation as the primary birth attendant under the supervision of a licensed traditional midwife at an additional 20 births, ten of which must have occurred outside a state licensed health care facility;
 - (iv) 20 newborn examinations; and
 - (v) 40 postpartum examinations;
- (7) submit additional information as requested by the board, including any additional information necessary to ensure that the applicant is able to practice with reasonable skill and safety to the public;
- (8) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief; and
- (9) sign a waiver authorizing the board to obtain access to the applicant's records in this or any other state in which the applicant has completed an approved education program or engaged in the practice of traditional midwifery.

Subd. 2. [LICENSURE BY RECIPROCITY.] To be eligible for licensure by reciprocity, the applicant must be credentialed by the North American Registry of Midwives or other board-approved organization and must:

- (1) submit the application materials and appropriate fees as required under subdivision 1, clauses (1), (3), (4), (5), (6), (7), (8), and (9); and section 147D.27;
- (2) provide a verified copy from the appropriate body of a current and unrestricted credential for the practice of traditional midwifery in another jurisdiction that has initial credentialing requirements equivalent to or higher than the requirements in subdivision 1; and
- (3) provide letters of verification from the appropriate government body in each jurisdiction in which the applicant holds a credential. Each letter must state the applicant's name, date of birth, credential number, date of issuance, a statement regarding disciplinary actions, if any, taken against the applicant, and if the applicant is in good standing in that jurisdiction.

Subd. 3. [TEMPORARY PERMIT.] The board may issue a temporary permit to practice as a traditional midwife to an applicant eligible for licensure under this section if the application for licensure is complete, all applicable requirements in this section have been met, and a nonrefundable fee set by the board has been paid. The permit remains valid only until the meeting of the board at which a decision is made on the traditional midwife's application for licensure.

Subd. 4. [LICENSURE BY EQUIVALENCY DURING TRANSITION PERIOD.] (a) From July 1, 1999, to July 1, 2001, a traditional midwife may qualify for licensure if the traditional midwife has engaged in the practice of traditional midwifery in this state for at least five years in the period from July 1, 1994, to June 30, 1999, and submits documentation verifying the practical experience described in subdivision 1, clause (6). To be eligible for licensure under this subdivision, the traditional midwife must also submit the application materials and the appropriate fees required under subdivision 1, clauses (1), (4), (5), (6), (7), (8), and (9), and section 147D.27.

(b) Application for licensure under this subdivision must be submitted to the board between July 1, 1999, and June 30, 2001. Licensure under this subdivision may be renewed once. Within a two-year period from the date a license is issued by the board in accordance with this subdivision, the traditional midwife must obtain a certification from the North American Registry of Midwives as a certified professional midwife. If certification is not obtained within this time period, the traditional midwife must obtain a new license by applying for licensure and fulfilling the requirements then in existence for obtaining an initial license as a traditional midwife.

Subd. 5. [LICENSE EXPIRATION.] Licenses issued under this chapter expire annually.

Subd. 6. [RENEWAL.] To be eligible for license renewal, a licensee must:

- (1) complete a renewal application on a form provided by the board;
- (2) submit the renewal fee;
- (3) provide evidence every three years of a total of 30 hours of continuing education approved by the board as described in section 147D.21;
- (4) submit evidence of an annual review and update of the licensed traditional midwife's medical consultation plan; and
- (5) submit any additional information requested by the board. The information must be submitted within 30 days after the board's request, or the renewal request is nullified.

Subd. 7. [CHANGE OF ADDRESS.] A licensee who changes addresses must inform the board within 30 days, in writing, of the change of address. All notices or other correspondence mailed to or served on a licensee by the board at the licensee's address on file with the board shall be considered as having been received by the licensee.

Subd. 8. [LICENSE RENEWAL NOTICE.] At least 30 days before the license renewal date, the board shall send out a renewal notice to the last known address of the licensee on file. The notice must include a renewal application and a notice of fees required for renewal. It must also inform the licensee that licensure will expire without further action by the board if an application for license renewal is not received before the deadline for renewal. The licensee's failure to receive this notice shall not relieve the licensee of the obligation to meet the deadline and other requirements for license renewal. Failure to receive this notice is not grounds for challenging expiration of licensure status.

Subd. 9. [RENEWAL DEADLINE.] The renewal application and fee must be postmarked on or before July 1 or as determined by the board. If the postmark is illegible, the application shall be considered timely if received by the third working day after the deadline.

Subd. 10. [INACTIVE STATUS AND RETURN TO ACTIVE STATUS.] (a) A license may be placed in inactive status upon application to the board by the licensee and upon payment of an inactive status fee.

(b) Licensees seeking restoration to active from inactive status must pay the current renewal fees and all unpaid back inactive fees. They must meet the criteria for renewal specified in subdivision 6, including continuing education hours equivalent to one hour for each month of inactive status, prior to submitting an application to regain licensure status. If the inactive status extends beyond five years, a qualifying score on a credentialing examination, or completion of an advisory council-approved eight-week supervised practical experience, is required. If the licensee intends to regain active licensure by means of eight weeks of advisory council-approved practical experience, the licensee shall be granted temporary licensure for a period of no longer than six months.

Subd. 11. [LICENSURE FOLLOWING LAPSE OF LICENSURE STATUS FOR TWO YEARS OR LESS.] For any individual whose licensure status has lapsed for two years or less, to regain licensure status, the individual must:

- (1) apply for license renewal according to subdivision 6;

(2) document compliance with the continuing education requirements of section 147D.21 since the licensee's initial licensure or last renewal; and

(3) submit the fees required under section 147D.27 for the period not licensed, including the fee for late renewal.

Subd. 12. [CANCELLATION DUE TO NONRENEWAL.] The board shall not renew, reissue, reinstate, or restore a license that has lapsed and has not been renewed within two licensure renewal cycles starting July 1999. A licensee whose license is canceled for nonrenewal must obtain a new license by applying for licensure and fulfilling all requirements then in existence for initial licensure as a traditional midwife.

Subd. 13. [CANCELLATION OF LICENSURE IN GOOD STANDING.] (a) A licensee holding an active license as a traditional midwife in the state may, upon approval of the board, be granted licensure cancellation if the board is not investigating the person as a result of a complaint or information received or if the board has not begun disciplinary proceedings against the licensee. Such action by the board shall be reported as a cancellation of licensure in good standing.

(b) A licensee who receives board approval for licensure cancellation is not entitled to a refund of any license fees paid for the licensure period in which cancellation of the license occurred.

(c) To obtain licensure after cancellation, a licensee must obtain a new license by applying for licensure and fulfilling the requirements then in existence for obtaining an initial license as a traditional midwife.

Sec. 10. [147D.19] [BOARD ACTION ON APPLICATIONS FOR LICENSURE.]

(a) The board shall act on each application for licensure according to paragraphs (b) to (d).

(b) The board shall determine if the applicant meets the requirements for licensure under section 147D.17. The board or advisory council may investigate information provided by an applicant to determine whether the information is accurate and complete.

(c) The board shall notify each applicant in writing of action taken on the application, the grounds for denying licensure if licensure is denied, and the applicant's right to review under paragraph (d).

(d) Applicants denied licensure may make a written request to the board, within 30 days of the board's notice, to appear before the advisory council and for the advisory council to review the board's decision to deny the applicant's license. After reviewing the denial, the advisory council shall make a recommendation to the board as to whether the denial shall be affirmed. Each applicant is allowed only one request for review per licensure period.

Sec. 11. [147D.21] [CONTINUING EDUCATION REQUIREMENTS.]

Subdivision 1. [NUMBER OF REQUIRED CONTACT HOURS.] Three years after the date of initial licensure and every three years thereafter, a licensee must complete a minimum of 30 contact hours of board-approved continuing education and attest to completion of continuing education requirements by reporting to the board. At least five contact hours within a three-year reporting period must involve adult cardiopulmonary resuscitation and either infant cardiopulmonary resuscitation or neonatal advanced life support.

Subd. 2. [APPROVAL OF CONTINUING EDUCATION PROGRAMS.] The board shall approve continuing education programs that meet the following criteria:

(1) the program content directly relates to the practice of traditional midwifery;

(2) each member of the program faculty is knowledgeable in the subject matter as demonstrated by a degree from an accredited education program, verifiable experience in the field of traditional midwifery, special training in the subject matter, or experience teaching in the subject area;

(3) the program lasts at least one contact hour;

(4) there are specific, measurable, written objectives, consistent with the program, describing the expected outcomes for the participants; and

(5) the program sponsor has a mechanism to verify participation and maintains attendance records for three years.

Subd. 3. [CONTINUING EDUCATION TOPICS.] Continuing education program topics may include, but are not limited to, traditional midwifery care in the prenatal, labor, birth, and postpartum and newborn periods; assessing contraindications; care in emergency situations; ethics; and nutrition.

Subd. 4. [ACCUMULATION OF CONTACT HOURS.] A licensee may not apply contact hours acquired in one three-year reporting period to a future continuing education reporting period.

Subd. 5. [VERIFICATION OF CONTINUING EDUCATION CREDITS.] The board shall periodically select a random sample of licensees and require those licensees to supply the board with evidence of having completed the continuing education to which they attested. Documentation may come directly from the licensee or from state or national organizations that maintain continuing education records.

Sec. 12. [147D.23] [DISCIPLINE; REPORTING.]

For purposes of this chapter, licensees and applicants are subject to the provisions of sections 147.091 to 147.162.

Sec. 13. [147D.25] [ADVISORY COUNCIL ON TRADITIONAL MIDWIFERY.]

Subdivision 1. [MEMBERSHIP.] The board shall appoint a five-member advisory council on traditional midwifery. One member shall be a licensed physician appointed from a list of names submitted to the board by the Minnesota Medical Association. Three members shall be licensed traditional midwives appointed from a list of names submitted to the board by Midwifery Now. One member shall be a homebirth parent appointed from a list of names submitted to the board by Minnesota Families for Midwifery.

Subd. 2. [ORGANIZATION.] The advisory council shall be organized and administered under section 15.059. The council expires June 30, 2003.

Subd. 3. [DUTIES.] The advisory council shall:

(1) advise the board regarding standards for traditional midwives;

(2) provide for distribution of information regarding traditional midwifery practice standards;

(3) advise the board on enforcement of this chapter;

(4) review applications and recommend granting or denying licensure or license renewal;

(5) advise the board on issues related to receiving and investigating complaints, conducting hearings, and imposing disciplinary action in relation to complaints against licensed traditional midwives;

(6) advise the board regarding approval of continuing education programs using the criteria in section 147D.21, subdivision 2; and

(7) perform other duties authorized for advisory councils by chapter 214, as directed by the board.

Sec. 14. [147D.27] [FEES.]

Subdivision 1. [LICENSURE FEE.] The license application fee is \$100. The fee for initial licensure and annual renewal is \$100. The fee for inactive status is \$50. The fee for a temporary permit is \$75.

Subd. 2. [PRORATION OF FEES.] The board may prorate the initial licensure fee. All licensees are required to pay the full fee upon license renewal.

Subd. 3. [PENALTY FEE FOR LATE RENEWALS.] An application for license renewal submitted after the deadline must be accompanied by a late fee of \$75 in addition to the required fees.

Subd. 4. [NONREFUNDABLE FEES.] The fees in this section are nonrefundable.

Sec. 15. [REPEALER.]

Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32, are repealed.

Minnesota Rules, parts 5600.2000; and 5600.2100, are repealed."

Delete the title and insert:

"A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 950, A bill for an act relating to consumer protection; regulating certain telephone sales calls; providing remedies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325G.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [325G.53] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 325G.54 to 325G.57, the terms defined in this section have the meanings given them.

Subd. 2. [TELEPHONE SALES CALL.] "Telephone sales call" means a call made by a telephone solicitor to a consumer, for the purpose of soliciting a sale or rental of, or investment in, any consumer goods or services, soliciting an extension of credit for consumer goods or services, or obtaining information that will or may be used for the direct solicitation of a sale of consumer goods or services or an extension of credit for those purposes.

Subd. 3. [CONSUMER GOODS OR SERVICES.] "Consumer goods or services" means real property or tangible or intangible personal property that is normally used for personal, family, or household purposes, including, without limitation, property intended to be attached to or installed in real property without regard to whether it is so attached or installed, as well as cemetery lots and timeshare estates, and services related to that property.

Subd. 4. [UNSOLICITED TELEPHONIC SALES CALL.] "Unsolicited telephonic sales call" means a telephonic sales call other than a call made:

- (1) in response to an express request of the person called;
- (2) primarily in connection with an existing debt or a contract, payment, or performance that has not been completed at the time of the call;
- (3) to a person with whom the telephone solicitor or an affiliate of the telephone solicitor has an existing business relationship; or
- (4) in which the sale of goods or services is not completed, and payment or authorization of payment is not required, until after a face-to-face sales presentation is made by the seller.

Subd. 5. [TELEPHONE SOLICITOR.] "Telephone solicitor" means a natural person, firm, organization, partnership, association, or corporation, doing business in this state, who makes or causes to be made a telephonic sales call, including, but not limited to, calls made by use of automated dialing or recorded message devices.

Subd. 6. [CONSUMER.] "Consumer" means an actual or prospective purchaser, lessee, or recipient of consumer goods or services.

Sec. 2. [325G.54] [NO CALLS LIST.]

Subdivision 1. [PLACEMENT.] A residential, mobile, or telephonic paging device telephone subscriber desiring to be placed on a "no sales solicitation calls" listing indicating that the subscriber does not wish to receive unsolicited telephonic sales calls may notify the department of public service or its agent and be placed on that listing upon receipt by the department or its agent of an initial listing fee. This listing shall be renewed annually for each consumer upon receipt of a renewal notice and a renewal fee. The initial listing fee and renewal fee shall be established according to section 16A.1285.

Subd. 2. [UPDATING.] The department of public service through a contracting agent, shall update its "no sales solicitation calls" listing on at least a quarterly basis. A telephone solicitor, or an agent or trade association acting on behalf of the telephone solicitor, shall obtain on at least a quarterly basis from the department of public service through its contracting agent the most recent "no sales solicitation calls" listing. The department may charge an annual fee to provide the listing to telephone solicitors. That fee shall be established according to section 16A.1285. The commissioner shall fulfill the requirements of this section by contracting with an agent for the establishment and maintenance of the list.

Subd. 3. [SALES CALLS PROHIBITED.] No telephone solicitor shall make or cause to be made an unsolicited telephonic sales call to a residential, mobile, or telephonic paging device telephone number if the number for that telephone appears in the most recent listing obtained from the department or its agent. A telephone solicitor or person who offers for sale any consumer information that includes residential, mobile, or telephonic paging device telephone numbers, except directory assistance and telephone directories sold by telephone companies and organizations exempt under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code, shall screen and exclude those numbers that appear on the most recent "no sales solicitation calls" list obtained from the department or its agent. This section does not apply to a person who calls an actual or prospective seller or lessor of real property when the call is made in response to a yard sign or other form of advertisement placed by the seller or lessor.

Sec. 3. [325G.55] [INTERFERENCE WITH CALLER IDENTIFICATION.]

No telephone solicitor who makes a telephone sales call to a consumer in this state shall knowingly use any method to block or otherwise circumvent the consumer's use of a caller identification service.

Sec. 4. [325G.56] [NO CALL LIST.]

Subdivision 1. [FEDERAL LIST.] If, pursuant to United States Code, title 47, section 227(c)(3), the Federal Communications Commission establishes a single national list of telephone numbers of subscribers who object to receiving telephone sales calls, the commissioner shall include subscribers who live in Minnesota and are included in the national list in the list established under this section.

Subd. 2. [RELEASE OF INFORMATION.] Information contained in the list established under this section shall be used only for the purposes of compliance with this section or in a proceeding or action under section 325G.57. The information contained in the list is private data on individuals or nonpublic data as defined in section 13.02.

Subd. 3. [NOTICE.] Telephone companies and telecommunications carriers providing local service must inform their customers of the right to place their name on the "no sales solicitation calls" list. The notification may be made:

(1) in conjunction with the notification requirements of section 237.66, subdivision 1; or

(2) by conspicuous publication of the notice in the consumer information pages of the local telephone directories.

Sec. 5. [325G.57] [VIOLATIONS; PENALTIES.]

A person who is injured by a violation of section 325G.54 or 325G.55 may bring a civil action to enforce this section and recover the greater of (1) \$500 per violation; or (2) any actual damages, costs, and disbursements, including reasonable attorney's fees incurred in the civil action; provided, however, that a person may bring a civil action against a telephone solicitor based on a violation of section 325G.54 only if the person provides evidence:

(1) that the person received more than one telephone call in violation of section 325G.54 from that solicitor or from persons acting on behalf of that solicitor; and

(2) that on at least one occasion prior to the violation for which the action is brought, the person informed the solicitor or a person acting on behalf of the solicitor that the person did not wish to receive further calls from the solicitor.

In addition to the remedies provided in this section, the attorney general may bring an action under section 8.31 against a person for violation of sections 325G.53 to 325G.57.

Sec. 6. [EFFECTIVE DATE.]

Sections 1; 2, subdivision 3; and 3 to 5 are effective January 1, 2000. Section 2, subdivisions 1 and 2, are effective July 1, 1999."

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 955, A bill for an act relating to recreation; appropriating money for a regional trail.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 959, A bill for an act relating to human services; amending Minnesota Statutes 1998, section 256D.44, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 26, after "the" insert "following programs, who are shelter needy:

(i) the"

Page 2, line 27, delete "or" and insert ";

(ii)"

Page 2, line 28, delete everything after "256B.0915" and insert ";

(iii) the community alternatives for disabled individuals and community alternative care waiver programs under section 256B.49;

(iv) the mental retardation or related conditions waiver program under section 256B.092, subdivision 5; or

(v) the traumatic brain injury waiver program under section 256B.093."

Page 2, line 29, delete "needy." and insert paragraph coding

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "changing the standard of assistance for certain human services programs;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 982, A bill for an act relating to professions; modifying enforcement provisions for the board of psychology; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 984, A bill for an act relating to professions; modifying provisions relating to psychologists' licensing; amending Minnesota Statutes 1998, sections 148.89, subdivisions 2a, 4, 5, and by adding a subdivision; 148.915; 148.925, subdivision 7; 148.941, subdivisions 2 and 6; and 148.96, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the following amendments:

Page 5, line 17, strike "appeal the decision" and insert "seek reconsideration before the board."

Page 5, strike lines 18 to 22

Page 7, line 6, reinstate the stricken language and delete the new language

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 987, A bill for an act relating to state government; establishing the intergovernmental advisory council for technology; abolishing the intergovernmental information systems advisory council; transferring appropriated money; appropriating money; amending Minnesota Statutes 1998, section 16B.42, subdivision 4, and by adding subdivisions; repealing Minnesota Statutes 1998, section 16B.42, subdivisions 1, 2, and 3.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 1014, A bill for an act relating to capital improvements; making a WIF program grant to the city of Dayton; authorizing state bonds; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Leppik from the Committee on Higher Education Finance to which was referred:

H. F. No. 1019, A bill for an act relating to education; appropriating money to the board of trustees of the Minnesota state colleges and universities for Vermillion community college to make a study.

Reported the same back with the recommendation that the bill be re-referred to the Committee on K-12 Education Finance without further recommendation.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1038, A bill for an act relating to employment; modifying employment and training data provisions; amending Minnesota Statutes 1998, section 13.47.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 13.47, is amended to read:

13.47 [EMPLOYMENT AND TRAINING DATA.]

Subdivision 1. [DEFINITION.] (a) "Employment and training data" means data on individuals collected, maintained, used, or disseminated because an individual applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state, or local resources, including those provided under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

(b) "Employment and training service provider" means an ~~administrative~~ entity certified, or seeking to be certified, by the commissioner of economic security to deliver employment and training services under section 268.0122, subdivision 3, or an organization that contracts with a certified ~~administrative~~ entity or the department of economic security to deliver employment and training services.

(c) "Provider of training services" means an organization or entity that provides training under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

Subd. 2. [CLASSIFICATION.] Employment and training data are private data on individuals.

Subd. 3. [DISSEMINATION.] Employment and training data may be disseminated by employment and training service providers:

(a) to other employment and training service providers to coordinate the employment and training services for the data subject or to determine eligibility or suitability for services from other programs;

(b) to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs, or for any employment or training program administered by those agencies; and

(c) to the commissioner of economic security.

Subd. 4. [DATA PREPARATION.] To produce data required to certify the eligibility of training service providers under section 268.022, subdivision 3, clause (7), the Workforce Investment Act of 1998, United States Code, title 29, section 2801, or other studies required by law, the commissioner of economic security, in consultation with the governor's workforce development council, may:

(1) enter into a data exchange agreement with a training service provider whereby the commissioner of economic security shall furnish to the provider wage information under section 268.044 on individuals who have received training services from the provider. The provider shall use this wage information to prepare summary data determined necessary by the commissioner in consultation with the governor's workforce development council. The provider may use this wage information for conducting studies to improve instruction; or

(2) if there is no agreement under clause (1), require the training service provider to furnish employment and training data determined necessary by the commissioner in consultation with the governor's workforce development council.

Subd. 5. [SUMMARY DATA.] The commissioner of economic security shall provide the training service providers, as well as make available to the public, summary data on the performance of the training services."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1047, A bill for an act relating to medical assistance; permitting medical assistance coverage of anorectics; amending Minnesota Statutes 1998, section 256B.0625, subdivision 13.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1126, A bill for an act relating to day care licensing; removing date restriction on definitions; amending Laws 1997, chapter 248, section 47, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 245A.02, is amended by adding a subdivision to read:

Subd. 19. [FAMILY DAY CARE AND GROUP FAMILY DAY CARE CHILD AGE CLASSIFICATIONS.] (a) For the purposes of family day care and group family day care licensing under this chapter, the following terms have the meanings given them in this subdivision.

(b) "Newborn" means a child between birth and six weeks old.

(c) "Infant" means a child who is at least six weeks old but less than 12 months old.

(d) "Toddler" means a child who is at least 12 months old but less than 24 months old, except that for purposes of specialized infant and toddler family and group family day care, "toddler" means a child who is at least 12 months old but less than 30 months old.

(e) "Preschooler" means a child who is at least 24 months old up to the age of being eligible to enter kindergarten within the next four months.

(f) "School age" means a child who is at least of sufficient age to have attended the first day of kindergarten, or is eligible to enter kindergarten within the next four months, but is younger than 11 years of age.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to human services; licensed family day care; modifying child age classification definitions; amending Minnesota Statutes 1998, section 245A.02, by adding a subdivision."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1127, A bill for an act relating to health; modifying noncertified boarding care homes provisions, medicaid reimbursement, and client records for assisted living home care providers; amending Minnesota Statutes 1998, sections 144.56, subdivision 2b; 144A.45, subdivision 4; 144A.4605, subdivision 2; and 144D.01, subdivision 4.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2

Page 2, line 2, delete "3" and insert "2"

Page 3, line 9, delete "4" and insert "3"

Page 3, line 23, before "boarding" insert "certified"

Page 3, lines 24 to 26, delete the new language

Amend the title as follows:

Page 1, line 3, delete ", medicaid reimbursement,"

Page 1, line 5, after the semicolon, insert "clarifying a provision in housing with services establishment;"

Page 1, line 6, delete "144A.45, subdivision 4;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 1161, A bill for an act relating to transportation; allowing port authorities to retain lease or management contract revenues from commercial navigation projects financed by the state; amending Minnesota Statutes 1998, section 457A.04, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 1168, A bill for an act relating to elections; simplifying language on certificates of election; clarifying and simplifying the Minnesota Election Law; making technical and procedural changes; changing certain duties of election officials; listing additional violations; changing certain deadlines; providing for advisory opinions by the secretary of state; providing for submission of proposed chapter amendments; requiring adoption of certain rules; imposing criminal penalties; amending Minnesota Statutes 1998, sections 3.02; 200.031; 201.016, subdivision 1, and by adding a subdivision; 201.054, subdivision 2; 201.12, subdivision 2; 201.13, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.07, subdivision 2; 203B.08, subdivision 1; 203B.081; 203B.085; 203B.11, subdivisions 1, 2, and 4; 204B.08, subdivision 3; 204B.146, subdivision 2; 204B.21, subdivision 2; 204B.27, subdivision 8; 204C.10; 204C.24, subdivision 1; 204C.26, subdivision 1; 204C.40, subdivision 1; 204D.08, subdivisions 3 and 5; 204D.11, subdivision 4; 204D.13, subdivisions 2 and 3; 205.10, subdivisions 3 and 4; 205.16, subdivision 4; 205.185, subdivision 3; 205A.05, subdivision 1; 205A.07, subdivision 3; 205A.13; 206.86, subdivision 1; 208.04, subdivision 1; 351.055; 410.12, subdivision 1; 412.02, subdivision 2; and 447.32, subdivision 4; Laws 1997, chapter 173, section 6; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 1998, sections 203B.08, subdivisions 1a and 3a; 203B.12, subdivision 5; 204D.14, subdivision 2; 204D.19, subdivision 5; and 365.10, subdivision 2.

Reported the same back with the following amendments:

Page 9, line 5, delete "p.m." and insert "noon"

Page 9, delete section 14

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, delete "1, 2," and insert "2"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Crime Prevention.

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 1169, A bill for an act relating to crime; allowing courts to extend the time period for search warrants for financial records; amending Minnesota Statutes 1998, section 626.15.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1174, A bill for an act relating to human services; providing funding to the board on aging for health insurance counseling and assistance grants; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 1183, A bill for an act relating to state government; secretary of state; regulating service of process and certain notice requirements; regulating the names of certain business organizations; providing certain technical and conforming changes; amending Minnesota Statutes 1998, sections 5.23, subdivision 1; 5.25, subdivisions 3, 4, and 6; 281.23, subdivision 6; 323A.10-02; 333.01, subdivision 1; 333.19, subdivision 1; and 336.9-411.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1195, A bill for an act relating to landlords and tenants; modifying requirements for tenant screening reports in the second and fourth judicial districts; amending Minnesota Statutes 1998, section 504.30, subdivision 4.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. [484.014] [HOUSING RECORDS; SEALING OF EVICTION INFORMATION.]

Subdivision 1. [DEFINITIONS.] For the purpose of this section, the following terms have the meanings given:

(1) "seal" means remove evidence of the court file's existence from the publicly accessible computer and electronic records;

(2) "eviction case" means an action brought under sections 566.01 to 566.17; and

(3) "court file" means the court file created when an eviction case is filed with the court.

Subd. 2. [DISCRETIONARY SEALING.] Only upon motion of a defendant and decision by the court, the court may order sealing of an eviction case court file if the court finds that the plaintiff's case is so without basis in fact or law that it is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record."

Page 1, line 7, delete "Section 1." and insert "Sec. 2."

Page 2, line 8, delete "2" and insert "3"

Page 2, line 9, delete "1" and insert "2"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for certain eviction records to be sealed;"

Page 1, line 5, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 484"

With the recommendation that when so amended the bill pass.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1206, A bill for an act relating to government data practices; requiring publication of public access procedures; requiring privatization contracts to include data practices compliance requirements; providing for the preparation of model policies; requiring the director of the historical society to assist in the records management program; funding the information policy training program; appropriating money; amending Minnesota Statutes 1998, sections 13.03, subdivision 2; 13.05, by adding a subdivision; 13.073, by adding a subdivision; and 138.17, subdivisions 7 and 8.

Reported the same back with the following amendments:

Page 2, line 10, delete "PRIVATIZATION" and insert "CONTRACT TERMS" and before "If" insert "(a)"

Page 2, after line 18, insert:

"(b) This subdivision does not create a duty on the part of the private person to provide access to public data to the public if the public data are available from the government entity, except as required by the terms of the contract."

Page 2, line 26, after the period, insert "The commissioner shall provide assistance and guidance to government entities to enable them to protect the integrity of government data in electronic form from alteration, destruction, or unauthorized access to nonpublic government data."

Page 4, after line 34, insert:

"Sec. 7. [EFFECTIVE DATE.]

Section 1 is effective January 1, 2000. Section 3 is effective July 1, 2000."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1216, A bill for an act relating to occupations and professions; modifying practical examination requirements for chiropractors licensed in other states; amending Minnesota Statutes 1998, section 148.06, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1224, A bill for an act relating to local government; establishing the Cedar lake area water and sanitary sewer district.

Reported the same back with the following amendments:

Page 1, line 11, delete "including" and insert "which includes the area within"

Page 1, line 12, delete everything after "county" and insert a period

Page 1, delete line 13 and insert "The district shall precisely describe the area over which it has jurisdiction by a metes and bounds description in the comprehensive plan adopted pursuant to section 5. The territory may not be larger than the area encompassed by the Cedar Lake improvement district, but it may be smaller and the area may include a route along public rights-of-way from Cedar Lake to the city of New Prague along which the sewer main is laid."

Page 3, line 25, delete "one" and insert "two"

Page 3, line 26, delete "resident" and insert "residents"

Page 3, line 29, delete "One member" and insert "Two members"

Page 3, line 30, delete everything after the period

Page 3, delete line 31

Page 3, line 32, delete everything before "Each"

Page 4, line 34, delete "must" and insert "may"

Page 7, delete lines 22 to 36

Page 8, delete lines 1 to 3

Page 8, line 4, delete "5" and insert "4"

Page 8, line 18, delete "6" and insert "5"

Page 8, line 22, delete "7" and insert "6"

Page 8, line 28, delete "8" and insert "7"

Page 9, line 3, delete "9" and insert "8"

Page 9, line 35, delete "10" and insert "9"

Page 10, line 9, delete "11" and insert "10"

Page 10, line 21, delete "12" and insert "11"

Page 11, line 9, after the period, insert "All comprehensive plans of the district shall be subject to the planning and zoning authority of Scott county and in conformance with all planning and zoning ordinances of Scott county."

Page 11, line 15, after the period, insert "In no case shall the comprehensive plan provide for more than 325 connections to the disposal system. All connections must be charged a full assessment. Connections made after the initial assessment period ends must be charged an amount equal to the initial assessment plus an adjustment for inflation and plus any other charges determined to be reasonable and necessary by the board. Deferred assessments may be permitted, as provided for in Minnesota Statutes, chapter 429."

Page 21, line 5, delete everything after the period

Page 21, delete lines 6 to 9

Page 23, line 26, delete everything after the period

Page 23, delete lines 27 to 32

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 1243, A bill for an act relating to employment; lowering the special assessment rate for the workforce investment fund; modifying provisions governing the workforce investment fund; amending Minnesota Statutes 1998, sections 268.022, subdivisions 1 and 2; and 268.975, subdivision 9.

Reported the same back with the following amendments:

Page 1, line 15, delete "1/100" and strike "of one"

Page 1, line 16, before "percent" insert ".02"

Page 3, line 5, delete everything after "for"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 1253, A bill for an act relating to economic development; providing for a grant to the city of Bingham Lake for connection of its wastewater system to the city of Windom; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1258, A bill for an act relating to family law; reviving the summary dissolution process; repealing Laws 1991, chapter 271, section 9, as amended.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 1280, A bill for an act relating to economic development; providing for a grant to the city of Jordan for a wastewater treatment facility; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 1294, A bill for an act relating to motor vehicles; allowing payment of prorated license fee following transfer of vehicle from dealer; amending Minnesota Statutes 1998, section 168.013, subdivisions 2 and 6.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Transportation Finance.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 1298, A bill for an act relating to housing; appropriating money for the housing finance agency's bridges program.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1299, A bill for an act relating to natural resources; providing for the disposition of fees collected for the Minnesota conservation corps; appropriating money; amending Minnesota Statutes 1998, section 84.98, subdivision 6.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1303, A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external appeal process; appropriating money; amending Minnesota Statutes 1998, sections 62D.11, subdivision 1; 62M.01; 62M.02, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, 12, 17, 20, 21, and by adding a subdivision; 62M.03, subdivisions 1 and 3; 62M.04, subdivisions 1, 2, 3, and 4; 62M.05; 62M.06; 62M.07; 62M.09, subdivision 3; 62M.10, subdivisions 2, 5, and 7; 62M.12; 62M.15; 62Q.106; 62Q.19, subdivision 5a;

62T.04; 72A.201, subdivisions 4 and 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; 62Q.11; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; and 4685.1700.

Reported the same back with the following amendments:

Page 15, line 23, delete "as soon as practical" and insert "within ten days"

Page 25, line 21, delete "joint interagency" and insert "external review entity"

Page 30, delete section 43

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 1359, A bill for an act relating to crime victims; clarifying the procedure for the deposit of unclaimed restitution funds; expanding coverage for crime victims reparations to include moving expense for victims of crime; extending the time limit for filing of claims to three years and allowing an exception to the time limit for all child abuse cases; amending Minnesota Statutes 1998, sections 611A.04, by adding a subdivision; 611A.52, subdivision 8; 611A.53, subdivision 2; and 611A.612.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 1366, A bill for an act relating to education; establishing an advisory group to make recommendations on strategies to address the needs of students who fail to meet the requirements of the state's high school graduation rule.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [ADVISORY GROUP.]

(a) The commissioner of children, families, and learning shall appoint and convene an advisory group to make recommendations on appropriate strategies to address the educational needs of 12th grade students who fail to meet the requirements of the state's high school graduation rule or local graduation requirements and the educational needs of students in other grades who may drop out of school because they are failing to meet state or local high school graduation requirements. The working group must include representation of communities of color, three

parents of public high school students, three public high school students, three public high school classroom teachers, and one representative from each of the following organizations: the Minnesota school boards association; the state board of teaching; education Minnesota; the Minnesota state colleges and universities; the University of Minnesota; the Minnesota business partnership; the Minneapolis school district; the St. Paul school district; the association of metropolitan school districts; the Minnesota rural education association; the Minnesota association of school administrators; the Minnesota elementary school principals association; the Minnesota association of secondary school principals; and other organizations the commissioner determines are relevant. By February 15, 2000, the commissioner shall submit the recommendations of the advisory group concerning appropriate strategies to address the educational needs of students who fail to meet the requirements of the state's high school graduation rule or local graduation requirements, including recommended statutory changes, to the education committees of the legislature.

(b) The commissioner shall provide technical and other assistance to the advisory group. The group expires on February 15, 2000.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education Policy.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 1377, A bill for an act relating to Dakota county; changing the name of the Dakota county housing and redevelopment authority; providing for the powers of the Dakota county community development agency; amending Minnesota Statutes 1998, section 383D.41, subdivisions 1, 2, 3, and by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 19, after "project," insert "development district,"

Page 2, line 24, after "and" insert ";

(1) in the case of any housing project or housing development project,

Page 2, line 28, before the period, insert "; or

(2) in the case of any redevelopment project by the municipal housing and redevelopment authority established for the city"

Page 3, line 10, after "may" insert "increase its" and after "levy" insert "of"

Page 3, line 11, delete "in" and insert "to"

Page 3, line 32, delete "shall" and insert "may"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1382, A bill for an act relating to cities; authorizing the city of Bemidji to exercise the power of eminent domain for acquisition of certain trust fund land.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Policy.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1414, A bill for an act relating to human services; making changes to deaf and hard-of-hearing services division; modifying interpreter services; amending Minnesota Statutes 1998, sections 237.51, subdivision 5a; 256C.233, subdivisions 1 and 2; and 256C.25.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1427, A bill for an act relating to natural resources; authorizing the sale and licensure of intellectual property and software developed by or for the department of natural resources; modifying provisions of recreational training programs; modifying restrictions on youth operation of snowmobiles; permitting certain grants to local fire departments; modifying forfeiture provisions; modifying provisions related to snowmobile and firearms safety designations on drivers' licenses; defining terms; modifying nongame wildlife checkoff provisions; modifying forestry development projects provisions; providing civil and criminal penalties; amending Minnesota Statutes 1998, sections 84.055, by adding a subdivision; 84.0855, subdivision 2; 84.86, subdivision 1; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.91, subdivision 1; 88.067; 97B.020; 169.121, subdivision 3; 169.1217, subdivisions 7a and 9; 169.123, subdivision 1; 171.07, subdivisions 12 and 13; 290.431; 290.432; 574.263; and 574.264, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 1471, A bill for an act relating to state government; requiring legislative approval of new fees and fee increases; providing an expiration date for certain fees; making conforming changes; amending Minnesota Statutes 1998, sections 14.131; 14.23; 16A.11, by adding a subdivision; 16B.748; 18.54; 21.92; 60A.964, subdivision 1; 60A.972, subdivision 3; 97B.025; 103G.301, subdivision 2; 103I.525, subdivision 9; 103I.531, subdivision 9; 103I.535, subdivision 9; 103I.541, subdivision 5; 115B.49, subdivisions 2 and 4; 115B.491, subdivisions 2 and 3; 116.07, subdivision 4d; 116.12; 116C.834, subdivision 1; 144.98, subdivision 3; 176.102, subdivision 14; 183.375, subdivision 5; 223.17, subdivision 3; 239.101, subdivision 4; 299M.04; 326.50; and 326.86, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1998, section 16A.1285, subdivisions 4 and 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1478, A bill for an act relating to taxation; authorizing the division into city urban and rural service districts pursuant to annexation; amending Minnesota Statutes 1998, section 272.67, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1535, A bill for an act relating to jurors; suspending enforcement of creditor remedies during a term of jury service; proposing coding for new law in Minnesota Statutes, chapter 593.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1540, A bill for an act relating to the metropolitan council; providing for the transfer of employees between the council and other political subdivisions of the state; amending Minnesota Statutes 1998, section 473.129, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Jobs and Economic Development Policy.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1555, A bill for an act relating to juvenile justice; requiring the court to order screening in specified areas before making a dispositional order for out-of-home placement; amending Minnesota Statutes 1998, section 260.181, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 1565, A bill for an act relating to the military; expanding eligibility for certain state service; amending Minnesota Statutes 1998, sections 190.08, subdivision 3; 192.19; and 193.29, subdivisions 1, 2, and 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 1569, A bill for an act relating to education; providing for site council recommendations for board appointments; clarifying provisions relating to the Minnesota state academies; appropriating money; amending Minnesota Statutes 1998, sections 125A.62; 125A.64; 125A.65, subdivisions 3, 5, 6, 7, 8, and 10; 125A.68, subdivision 1; 125A.69, subdivisions 1 and 3; 125A.70, subdivision 2; 125A.71, subdivision 3; 125A.72; and 125A.73.

Reported the same back with the following amendments:

Page 1, line 25, delete the new language

Page 1, line 26, delete the new language and strike "Three members" and insert "One member"

Page 2, lines 1 and 2, delete the new language

Page 2, line 4, after "one" insert "present or former"

Page 2, line 5, after "one" insert "present or former"

Page 2, line 9, strike "and"

Page 2, line 11, before the period, insert ";

(7) one nonvoting unpaid ex-officio member appointed by the site council for the state academy for the deaf; and

(8) one nonvoting unpaid ex-officio member appointed by the site council for the state academy for the blind"

Page 2, line 33, delete "must" and insert "may"

Page 2, line 35, delete "60" and insert "30" and delete "a" and insert "the"

Page 10, line 3, delete "\$....." and insert "\$15,000" in both places

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1571, A bill for an act relating to marriage; providing for covenant marriages; amending Minnesota Statutes 1998, sections 517.08, subdivision 1a, and by adding a subdivision; and 517.10; proposing coding for new law in Minnesota Statutes, chapters 517; and 518.

Reported the same back with the following amendments:

Page 4, line 11, delete "affidavit" and insert "acknowledgment"

Page 4, line 20, delete "affidavit" and insert "declaration of intent"

Page 4, line 23, delete everything after the period

Page 4, delete lines 24 to 31

Page 5, line 29, delete "affidavit" and insert "acknowledgment"

Page 5, line 36, delete everything after the period

Page 6, delete lines 1 and 2

Page 6, line 3, delete everything before "that" and insert "It must also include an acknowledgment"

Page 6, delete lines 9 to 11

Page 7, line 7, delete "habitual intemperance of" and insert "substance abuse by"

Page 7, line 8, delete everything after the first "spouse" and insert a period

Page 7, delete line 9

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary Finance.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1595, A bill for an act relating to health; modifying review and complaint procedures for health plans; amending Minnesota Statutes 1998, sections 62M.05, by adding a subdivision; 62M.06, subdivisions 2, 3, and by adding a subdivision; and 62Q.105; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11; 62Q.105, subdivision 2; 62Q.11; and 62Q.30; Minnesota Rules, part 4685.1700, subpart 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 62D.11, subdivision 1, is amended to read:

Subdivision 1. [ENROLLEE COMPLAINT SYSTEM.] Every health maintenance organization shall establish and maintain a complaint system, as required under ~~section 62Q.105~~ sections 62Q.68 to 62Q.72 to provide reasonable procedures for the resolution of written complaints initiated by or on behalf of enrollees concerning the provision of health care services. ~~"Provision of health services" includes, but is not limited to, questions of the scope of coverage, quality of care, and administrative operations. The health maintenance organization must inform enrollees that they may choose to use arbitration to appeal a health maintenance organization's internal appeal decision. The health maintenance organization must also inform enrollees that they have the right to use arbitration to appeal a health maintenance organization's internal appeal decision not to certify an admission, procedure, service, or extension of stay under section 62M.06. If an enrollee chooses to use arbitration, the health maintenance organization must participate.~~

Sec. 2. Minnesota Statutes 1998, section 62M.01, is amended to read:

62M.01 [CITATION, JURISDICTION, AND SCOPE.]

Subdivision 1. [POPULAR NAME.] Sections 62M.01 to 62M.16 may be cited as the "Minnesota Utilization Review Act of 1992."

Subd. 2. [JURISDICTION.] Sections 62M.01 to 62M.16 apply to any insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a health service plan licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; a community integrated service network licensed under chapter 62N; an accountable provider network operating under chapter 62T; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; a multiple employer welfare arrangement, as defined in section 3 of the Employee Retirement Income Security Act of 1974 (ERISA), United States Code, title 29, section 1103, as amended; a third party administrator licensed under section 60A.23, subdivision 8, that provides utilization review services for the administration of benefits under a health benefit plan as defined in section 62M.02; or any entity performing utilization review on behalf of a business entity in this state pursuant to a health benefit plan covering a Minnesota resident.

Subd. 3. [SCOPE.] ~~Sections 62M.02, 62M.07, and 62M.09, subdivision 4, apply to prior authorization of services.~~ Nothing in sections 62M.01 to 62M.16 applies to review of claims after submission to determine eligibility for benefits under a health benefit plan. The appeal procedure described in section 62M.06 applies to any complaint as defined under section 62Q.68, subdivision 2, that requires a medical determination in its resolution.

Sec. 3. Minnesota Statutes 1998, section 62M.02, subdivision 3, is amended to read:

Subd. 3. [ATTENDING DENTIST.] "Attending dentist" means the dentist with primary responsibility for the dental care provided to ~~a patient~~ an enrollee.

Sec. 4. Minnesota Statutes 1998, section 62M.02, subdivision 4, is amended to read:

Subd. 4. [ATTENDING ~~PHYSICIAN HEALTH CARE PROFESSIONAL~~.] "Attending ~~physician health care professional~~" means the physician health care professional with primary responsibility for the care provided to ~~a patient~~ an enrollee ~~in a hospital or other health care facility~~.

Sec. 5. Minnesota Statutes 1998, section 62M.02, subdivision 5, is amended to read:

Subd. 5. [CERTIFICATION.] "Certification" means a determination by a utilization review organization that an admission, extension of stay, or other health care service has been reviewed and that it, based on the information provided, meets the utilization review requirements of the applicable health plan and the health ~~carrier plan company~~ will then pay for the covered benefit, provided the preexisting limitation provisions, the general exclusion provisions, and any deductible, copayment, coinsurance, or other policy requirements have been met.

Sec. 6. Minnesota Statutes 1998, section 62M.02, subdivision 6, is amended to read:

Subd. 6. [CLAIMS ADMINISTRATOR.] "Claims administrator" means an entity that reviews and determines whether to pay claims to enrollees, ~~physicians, hospitals, or others~~ or providers based on the contract provisions of the health plan contract. Claims administrators may include insurance companies licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a health service plan licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; a community integrated service network licensed under chapter 62N; an accountable provider network operating under chapter 62T; a fraternal benefit society operating under chapter 64B; a multiple employer welfare arrangement, as defined in section 3 of the Employee Retirement Income Security Act of 1974 (ERISA), United States Code, title 29, section 1103, as amended.

Sec. 7. Minnesota Statutes 1998, section 62M.02, subdivision 7, is amended to read:

Subd. 7. [CLAIMANT.] "Claimant" means the enrollee ~~or covered person~~ who files a claim for benefits or a provider of services who, pursuant to a contract with a claims administrator, files a claim on behalf of an enrollee or covered person.

Sec. 8. Minnesota Statutes 1998, section 62M.02, subdivision 9, is amended to read:

Subd. 9. [CONCURRENT REVIEW.] "Concurrent review" means utilization review conducted during ~~a patient's~~ an enrollee's hospital stay or course of treatment and has the same meaning as continued stay review.

Sec. 9. Minnesota Statutes 1998, section 62M.02, subdivision 10, is amended to read:

Subd. 10. [DISCHARGE PLANNING.] "Discharge planning" means the process that assesses ~~a patient's~~ an enrollee's need for treatment after hospitalization in order to help arrange for the necessary services and resources to effect an appropriate and timely discharge.

Sec. 10. Minnesota Statutes 1998, section 62M.02, subdivision 11, is amended to read:

Subd. 11. [ENROLLEE.] "Enrollee" means an individual ~~who has elected to contract for, or participate in, a health benefit plan for enrollee coverage or for dependent coverage covered by a health benefit plan and includes~~ an insured policyholder, subscriber contract holder, member, covered person, or certificate holder.

Sec. 11. Minnesota Statutes 1998, section 62M.02, subdivision 12, is amended to read:

Subd. 12. [HEALTH BENEFIT PLAN.] "Health benefit plan" means a policy, contract, or certificate issued by a health ~~carrier to an employer or individual~~ plan company for the coverage of medical, dental, or hospital benefits. A health benefit plan does not include coverage that is:

- (1) limited to disability or income protection coverage;
- (2) automobile medical payment coverage;
- (3) supplemental to liability insurance;
- (4) designed solely to provide payments on a per diem, fixed indemnity, or nonexpense incurred basis;
- (5) credit accident and health insurance issued under chapter 62B;
- (6) blanket accident and sickness insurance as defined in section 62A.11;
- (7) accident only coverage issued by a licensed and tested insurance agent; or
- (8) workers' compensation.

Sec. 12. Minnesota Statutes 1998, section 62M.02, is amended by adding a subdivision to read:

Subd. 12a. [HEALTH PLAN COMPANY.] "Health plan company" means a health plan company as defined in section 62Q.01, subdivision 4, and includes an accountable provider network operating under chapter 62T.

Sec. 13. Minnesota Statutes 1998, section 62M.02, subdivision 17, is amended to read:

Subd. 17. [PROVIDER.] "Provider" means a licensed health care facility, physician, or other health care professional that delivers health care services to an enrollee ~~or covered person.~~

Sec. 14. Minnesota Statutes 1998, section 62M.02, subdivision 20, is amended to read:

Subd. 20. [UTILIZATION REVIEW.] "Utilization review" means the evaluation of the necessity, appropriateness, and efficacy of the use of health care services, procedures, and facilities, by a person or entity other than the attending ~~physician~~ health care professional, for the purpose of determining the medical necessity of the service or

admission. Utilization review also includes review conducted after the admission of the enrollee. It includes situations where the enrollee is unconscious or otherwise unable to provide advance notification. ~~Utilization review does not include the imposition of a requirement that services be received by or upon referral from a participating provider.~~

Sec. 15. Minnesota Statutes 1998, section 62M.02, subdivision 21, is amended to read:

Subd. 21. [UTILIZATION REVIEW ORGANIZATION.] "Utilization review organization" means an entity including but not limited to an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a health service plan licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; a community integrated service network licensed under chapter 62N; an accountable provider network operating under chapter 62T; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; a multiple employer welfare arrangement, as defined in section 3 of the Employee Retirement Income Security Act of 1974 (ERISA), United States Code, title 29, section 1103, as amended; a third party administrator licensed under section 60A.23, subdivision 8, which conducts utilization review and determines certification of an admission, extension of stay, or other health care services for a Minnesota resident; or any entity performing utilization review that is affiliated with, under contract with, or conducting utilization review on behalf of, a business entity in this state.

Sec. 16. Minnesota Statutes 1998, section 62M.03, subdivision 1, is amended to read:

Subdivision 1. [LICENSED UTILIZATION REVIEW ORGANIZATION.] Beginning January 1, 1993, any organization that meets the definition of utilization review organization in section 62M.02, subdivision 21, must be licensed under chapter 60A, 62C, 62D, 62N, 62T, or 64B, or registered under this chapter and must comply with sections 62M.01 to 62M.16 and section 72A.201, subdivisions 8 and 8a. Each licensed community integrated service network or health maintenance organization that has an employed staff model of providing health care services shall comply with sections 62M.01 to 62M.16 and section 72A.201, subdivisions 8 and 8a, for any services provided by providers under contract.

Sec. 17. Minnesota Statutes 1998, section 62M.03, subdivision 3, is amended to read:

Subd. 3. [PENALTIES AND ENFORCEMENTS.] If a utilization review organization fails to comply with sections 62M.01 to 62M.16, the organization may not provide utilization review services for any Minnesota resident. The commissioner of commerce may issue a cease and desist order under section 45.027, subdivision 5, to enforce this provision. The cease and desist order is subject to appeal under chapter 14. A nonlicensed utilization review organization that fails to comply with the provisions of sections 62M.01 to 62M.16 is subject to all applicable penalty and enforcement provisions of section 72A.201. Each utilization review organization licensed under chapter 60A, 62C, 62D, 62N, 62T, or 64B shall comply with sections 62M.01 to 62M.16 as a condition of licensure.

Sec. 18. Minnesota Statutes 1998, section 62M.04, subdivision 1, is amended to read:

Subdivision 1. [RESPONSIBILITY FOR OBTAINING CERTIFICATION.] A health benefit plan that includes utilization review requirements must specify the process for notifying the utilization review organization in a timely manner and obtaining certification for health care services. Each health plan company must provide a clear and concise description of this process to an enrollee as part of the policy, subscriber contract, or certificate of coverage. In addition to the enrollee, the utilization review organization must allow any ~~licensed hospital, physician or the physician's provider or provider's~~ designee, or responsible patient representative, including a family member, to fulfill the obligations under the health plan.

A claims administrator that contracts directly with providers for the provision of health care services to enrollees may, through contract, require the provider to notify the review organization in a timely manner and obtain certification for health care services.

Sec. 19. Minnesota Statutes 1998, section 62M.04, subdivision 2, is amended to read:

Subd. 2. [INFORMATION UPON WHICH UTILIZATION REVIEW IS CONDUCTED.] If the utilization review organization is conducting routine prospective and concurrent utilization review, utilization review organizations must collect only the information necessary to certify the admission, procedure of treatment, and length of stay.

(a) Utilization review organizations may request, but may not require, ~~hospitals, physicians, or other~~ providers to supply numerically encoded diagnoses or procedures as part of the certification process.

(b) Utilization review organizations must not routinely request copies of medical records for all patients reviewed. In performing prospective and concurrent review, copies of the pertinent portion of the medical record should be required only when a difficulty develops in certifying the medical necessity or appropriateness of the admission or extension of stay.

(c) Utilization review organizations may request copies of medical records retrospectively for a number of purposes, including auditing the services provided, quality assurance review, ensuring compliance with the terms of either the health benefit plan or the provider contract, and compliance with utilization review activities. Except for reviewing medical records associated with an appeal or with an investigation or audit of data discrepancies, ~~health care~~ providers must be reimbursed for the reasonable costs of duplicating records requested by the utilization review organization for retrospective review unless otherwise provided under the terms of the provider contract.

Sec. 20. Minnesota Statutes 1998, section 62M.04, subdivision 3, is amended to read:

Subd. 3. [DATA ELEMENTS.] Except as otherwise provided in sections 62M.01 to 62M.16, for purposes of certification a utilization review organization must limit its data requirements to the following elements:

(a) Patient information that includes the following:

- (1) name;
- (2) address;
- (3) date of birth;
- (4) sex;
- (5) social security number or patient identification number;
- (6) name of health ~~carrier~~ plan company or health plan; and
- (7) plan identification number.

(b) Enrollee information that includes the following:

- (1) name;
- (2) address;
- (3) social security number or employee identification number;
- (4) relation to patient;
- (5) employer;

- (6) health benefit plan;
 - (7) group number or plan identification number; and
 - (8) availability of other coverage.
- (c) Attending ~~physician or provider~~ health care professional information that includes the following:
- (1) name;
 - (2) address;
 - (3) telephone numbers;
 - (4) degree and license;
 - (5) specialty or board certification status; and
 - (6) tax identification number or other identification number.
- (d) Diagnosis and treatment information that includes the following:
- (1) primary diagnosis with associated ICD or DSM coding, if available;
 - (2) secondary diagnosis with associated ICD or DSM coding, if available;
 - (3) tertiary diagnoses with associated ICD or DSM coding, if available;
 - (4) proposed procedures or treatments with ICD or associated CPT codes, if available;
 - (5) surgical assistant requirement;
 - (6) anesthesia requirement;
 - (7) proposed admission or service dates;
 - (8) proposed procedure date; and
 - (9) proposed length of stay.
- (e) Clinical information that includes the following:
- (1) support and documentation of appropriateness and level of service proposed; and
 - (2) identification of contact person for detailed clinical information.
- (f) Facility information that includes the following:
- (1) type;
 - (2) licensure and certification status and DRG exempt status;
 - (3) name;

- (4) address;
- (5) telephone number; and
- (6) tax identification number or other identification number.
- (g) Concurrent or continued stay review information that includes the following:
 - (1) additional days, services, or procedures proposed;
 - (2) reasons for extension, including clinical information sufficient for support of appropriateness and level of service proposed; and
 - (3) diagnosis status.
- (h) For admissions to facilities other than acute medical or surgical hospitals, additional information that includes the following:
 - (1) history of present illness;
 - (2) patient treatment plan and goals;
 - (3) prognosis;
 - (4) staff qualifications; and
 - (5) 24-hour availability of staff.

Additional information may be required for other specific review functions such as discharge planning or catastrophic case management. Second opinion information may also be required, when applicable, to support benefit plan requirements.

Sec. 21. Minnesota Statutes 1998, section 62M.04, subdivision 4, is amended to read:

Subd. 4. [ADDITIONAL INFORMATION.] A utilization review organization may request information in addition to that described in subdivision 3 when there is significant lack of agreement between the utilization review organization and the ~~health care~~ provider regarding the appropriateness of certification during the review or appeal process. For purposes of this subdivision, "significant lack of agreement" means that the utilization review organization has:

- (1) tentatively determined through its professional staff that a service cannot be certified;
- (2) referred the case to a physician for review; and
- (3) talked to or attempted to talk to the attending ~~physician~~ health care professional for further information.

Nothing in sections 62M.01 to 62M.16 prohibits a utilization review organization from requiring submission of data necessary to comply with the quality assurance and utilization review requirements of chapter 62D or other appropriate data or outcome analyses.

Sec. 22. Minnesota Statutes 1998, section 62M.05, is amended to read:

62M.05 [PROCEDURES FOR REVIEW DETERMINATION.]

Subdivision 1. [WRITTEN PROCEDURES.] A utilization review organization must have written procedures to ensure that reviews are conducted in accordance with the requirements of this chapter ~~and section 72A.201, subdivision 4a.~~

Subd. 2. [CONCURRENT REVIEW.] A utilization review organization may review ongoing inpatient stays based on the severity or complexity of the patient's enrollee's condition or on necessary treatment or discharge planning activities. Such review must not be consistently conducted on a daily basis.

Subd. 3. [NOTIFICATION OF DETERMINATIONS.] A utilization review organization must have written procedures for providing notification of its determinations on all certifications in accordance with ~~the following:~~ this section.

Subd. 3a. [STANDARD REVIEW DETERMINATION.] (a) Notwithstanding subdivision 3b, an initial determination on all requests for utilization review must be communicated to the provider and enrollee in accordance with this subdivision within ten business days of the request, provided that all information reasonably necessary to make a decision on the request has been made available to the utilization review organization.

~~(b) When an initial determination is made to certify, notification must be provided promptly by telephone to the provider. The utilization review organization shall send written notification to the hospital, attending physician, or applicable service provider within ten business days of the determination in accordance with section 72A.201, subdivision 4a, provider or shall maintain an audit trail of the determination and telephone notification. For purposes of this subdivision, "audit trail" includes documentation of the telephone notification, including the date; the name of the person spoken to; the enrollee or patient; the service, procedure, or admission certified; and the date of the service, procedure, or admission. If the utilization review organization indicates certification by use of a number, the number must be called the "certification number."~~

~~(b) (c) When a an initial determination is made not to certify a hospital or surgical facility admission or extension of a hospital stay, or other service requiring review determination, notification must be provided by telephone within one working day after making the decision determination to the attending physician health care professional and hospital must be notified by telephone and a written notification must be sent to the hospital, attending physician health care professional, and enrollee or patient. The written notification must include the principal reason or reasons for the determination and the process for initiating an appeal of the determination. Upon request, the utilization review organization shall provide the attending physician or provider or enrollee with the criteria used to determine the necessity, appropriateness, and efficacy of the health care service and identify the database, professional treatment parameter, or other basis for the criteria. Reasons for a determination not to certify may include, among other things, the lack of adequate information to certify after a reasonable attempt has been made to contact the attending physician provider or enrollee.~~

~~(d) When an initial determination is made not to certify, the written notification must inform the enrollee and the attending health care professional of the right to submit an appeal to either:~~

~~(1) the external appeal process described in section 62Q.73 and the procedure for initiating the external process;~~
~~or~~

~~(2) the internal appeal process described in section 62M.03 and the procedure for initiating the internal appeal.~~

Subd. 3b. [EXPEDITED REVIEW DETERMINATION.] (a) An expedited initial determination must be utilized if the attending health care professional believes that an expedited determination is warranted.

~~(b) Notification of an expedited initial determination to either certify or not to certify must be provided to the hospital, the attending health care professional, and enrollee as expeditiously as the enrollee's medical condition requires, but no later than 72 hours from the initial request. When an expedited initial determination is made not to certify, the utilization review organization must also notify the enrollee and the attending health care professional of the right to submit an appeal to either:~~

~~(1) the external appeal process described in section 62Q.73 and the procedure for initiating the external process;~~
~~or~~

~~(2) the expedited internal appeal as described in section 62M.06 and the procedure for initiating an internal expedited appeal.~~

Subd. 4. [FAILURE TO PROVIDE NECESSARY INFORMATION.] A utilization review organization must have written procedures to address the failure of a ~~health care provider, patient, or representative of either or enrollee~~ to provide the necessary information for review. If the ~~patient enrollee or provider~~ will not release the necessary information to the utilization review organization, the utilization review organization may deny certification in accordance with its own policy or the policy described in the health benefit plan.

Subd. 5. [NOTIFICATION TO CLAIMS ADMINISTRATOR.] If the utilization review organization and the claims administrator are separate entities, the utilization review organization must forward, electronically or in writing, a notification of certification or determination not to certify to the appropriate claims administrator for the health benefit plan.

Sec. 23. Minnesota Statutes 1998, section 62M.06, is amended to read:

62M.06 [APPEALS OF DETERMINATIONS NOT TO CERTIFY.]

Subdivision 1. [PROCEDURES FOR APPEAL.] A utilization review organization must have written procedures for appeals of determinations not to certify ~~an admission, procedure, service, or extension of stay~~. The right to appeal must be available to the enrollee ~~or designee~~ and to the attending ~~physician~~ health care professional. ~~The right of appeal must be communicated to the enrollee or designee or to the attending physician, whomever initiated the original certification request, at the time that the original determination is communicated.~~

Subd. 2. [EXPEDITED APPEAL.] (a) When an initial determination not to certify a health care service is made prior to or during an ongoing service requiring review; and the attending ~~physician~~ health care professional believes that the determination warrants ~~immediate~~ an expedited appeal, the utilization review organization must ensure that the ~~enrollee and the attending physician health care professional, enrollee, or designee~~ enrollee and the attending health care professional ~~has have~~ an opportunity to appeal the determination over the telephone on an expedited basis. In such an appeal, the utilization review organization must ensure reasonable access to its consulting physician ~~or health care provider~~. ~~Expedited appeals that are not resolved may be resubmitted through the standard appeal process.~~

(b) The utilization review organization shall notify the enrollee and attending health care professional by telephone of its determination on the expedited appeal as expeditiously as the enrollee's medical condition requires, but no later than 72 hours after receiving the expedited appeal.

(c) If the determination not to certify is not reversed through the expedited appeal, the utilization review organization must include in its notification the right to submit the appeal to the external appeal process described in section 62Q.73 and the procedure for initiating the process. This information must be provided in writing to the enrollee and the attending health care professional within ten days.

Subd. 3. [STANDARD APPEAL.] The utilization review organization must establish procedures for appeals to be made either in writing or by telephone.

(a) ~~Each~~ A utilization review organization shall notify in writing the enrollee ~~or patient~~, attending ~~physician~~ health care professional, and claims administrator of its determination on the appeal ~~as soon as practical, but in no case later than 45 days after receiving the required documentation on the appeal~~ within 30 days upon receipt of the notice of appeal.

(b) The documentation required by the utilization review organization may include copies of part or all of the medical record and a written statement from the ~~attending health care provider~~ attending health care professional.

(c) Prior to upholding the ~~original decision~~ initial determination not to certify for clinical reasons, the utilization review organization shall conduct a review of the documentation by a physician who did not make the ~~original~~ initial determination not to certify.

(d) The process established by a utilization review organization may include defining a period within which an appeal must be filed to be considered. The time period must be communicated to the ~~patient, enrollee, or~~ attending physician health care professional when the initial determination is made.

(e) An attending physician health care professional or enrollee who has been unsuccessful in an attempt to reverse a determination not to certify shall, consistent with section 72A.285, be provided the following:

(1) a complete summary of the review findings;

(2) qualifications of the reviewers, including any license, certification, or specialty designation; and

(3) the relationship between the enrollee's diagnosis and the review criteria used as the basis for the decision, including the specific rationale for the reviewer's decision.

(f) In cases of appeal to reverse a determination not to certify for clinical reasons, the utilization review organization must, upon request of the attending physician health care professional, ensure that a physician of the utilization review organization's choice in the same or a similar general specialty as typically manages the medical condition, procedure, or treatment under discussion is reasonably available to review the case.

(g) If the initial determination is not reversed on appeal, the utilization review organization must include in its notification the right to submit the appeal to the external appeal process described in section 62Q.73 and the procedure for initiating the external process.

Subd. 3a. [SECOND APPEAL OPTION.] (a) The utilization review organization may establish an appeal process that offers a second appeal if the determination not to certify is not reversed through the standard appeal. If the utilization review organization offers a second appeal, the process must meet the requirements of the internal appeal process described in section 62Q.70.

(b) If a utilization review organization offers a second appeal, an enrollee is not required to exhaust the second appeal process before submitting the determination not to certify to the external appeal process pursuant to section 62Q.73.

Subd. 4. [NOTIFICATION TO CLAIMS ADMINISTRATOR.] If the utilization review organization and the claims administrator are separate entities, the utilization review organization must forward notify, either electronically or in writing, a notification of certification or determination not to certify to the appropriate claims administrator for the health benefit plan of any determination not to certify that is reversed on appeal.

Sec. 24. Minnesota Statutes 1998, section 62M.07, is amended to read:

62M.07 [PRIOR AUTHORIZATION OF SERVICES.]

(a) Utilization review organizations conducting prior authorization of services must have written standards that meet at a minimum the following requirements:

(1) written procedures and criteria used to determine whether care is appropriate, reasonable, or medically necessary;

(2) a system for providing prompt notification of its determinations to enrollees and providers and for notifying the provider, enrollee, or enrollee's designee of appeal procedures under clause (4);

(3) compliance with section ~~72A.201~~ 62M.05, subdivision ~~4a~~ 3, regarding time frames for approving and disapproving prior authorization requests;

(4) written procedures for appeals of denials of prior authorization which specify the responsibilities of the enrollee and provider, and which meet the requirements of ~~section~~ sections 62M.06 and 72A.285, regarding release of summary review findings; and

(5) procedures to ensure confidentiality of patient-specific information, consistent with applicable law.

(b) No utilization review organization, health plan company, or claims administrator may conduct or require prior authorization of emergency confinement or emergency treatment. The enrollee or the enrollee's authorized representative may be required to notify the health plan company, claims administrator, or utilization review organization as soon after the beginning of the emergency confinement or emergency treatment as reasonably possible.

Sec. 25. Minnesota Statutes 1998, section 62M.09, subdivision 3, is amended to read:

Subd. 3. [PHYSICIAN REVIEWER INVOLVEMENT.] A physician must review all cases in which the utilization review organization has concluded that a determination not to certify for clinical reasons is appropriate. The physician should be reasonably available by telephone to discuss the determination with the attending ~~physician~~ health care professional. This subdivision does not apply to outpatient mental health or substance abuse services governed by subdivision 3a.

Sec. 26. Minnesota Statutes 1998, section 62M.10, subdivision 2, is amended to read:

Subd. 2. [REVIEWS DURING NORMAL BUSINESS HOURS.] A utilization review organization must conduct its telephone reviews, on-site reviews, and hospital communications during ~~hospitals' and physicians'~~ reasonable and normal business hours, unless otherwise mutually agreed.

Sec. 27. Minnesota Statutes 1998, section 62M.10, subdivision 5, is amended to read:

Subd. 5. [ORAL REQUESTS FOR INFORMATION.] Utilization review organizations shall orally inform, upon request, designated hospital personnel or the attending ~~physician~~ health care professional of the utilization review requirements of the specific health benefit plan and the general type of criteria used by the review agent. Utilization review organizations should also orally inform, upon request, ~~hospitals, physicians, and other health care professionals~~ a provider of the operational procedures in order to facilitate the review process.

Sec. 28. Minnesota Statutes 1998, section 62M.10, subdivision 7, is amended to read:

Subd. 7. [AVAILABILITY OF CRITERIA.] Upon request, a utilization review organization shall provide to an enrollee or to ~~an attending physician or~~ a provider the criteria used for a specific procedure to determine the necessity, appropriateness, and efficacy of that procedure and identify the database, professional treatment guideline, or other basis for the criteria.

Sec. 29. Minnesota Statutes 1998, section 62M.12, is amended to read:

62M.12 [PROHIBITION OF INAPPROPRIATE INCENTIVES.]

No individual who is performing utilization review may receive any financial incentive based on the number of denials of certifications made by such individual, provided that utilization review organizations may establish medically appropriate performance standards. This prohibition does not apply to financial incentives established between health ~~plans~~ plan companies and ~~their~~ providers.

Sec. 30. Minnesota Statutes 1998, section 62M.15, is amended to read:

62M.15 [APPLICABILITY OF OTHER CHAPTER REQUIREMENTS.]

The requirements of this chapter regarding the conduct of utilization review are in addition to any specific requirements contained in chapter 62A, 62C, 62D, 62Q, or 72A.

Sec. 31. Minnesota Statutes 1998, section 62Q.106, is amended to read:

62Q.106 [DISPUTE RESOLUTION BY COMMISSIONER.]

A complainant may at any time submit a complaint to the appropriate commissioner to investigate. After investigating a complaint, or reviewing a company's decision, the appropriate commissioner may order a remedy as authorized under ~~section 62Q.30~~ or chapter 45, 60A, or 62D.

Sec. 32. Minnesota Statutes 1998, section 62Q.19, subdivision 5a, is amended to read:

Subd. 5a. [COOPERATION.] Each health plan company and essential community provider shall cooperate to facilitate the use of the essential community provider by the high risk and special needs populations. This includes cooperation on the submission and processing of claims, sharing of all pertinent records and data, including performance indicators and specific outcomes data, and the use of all dispute resolution methods ~~as defined in section 62Q.11, subdivision 1.~~

Sec. 33. [62Q.68] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] For purposes of sections 62Q.68 to 62Q.72, the terms defined in this section have the meanings given them.

Subd. 2. [COMPLAINT.] "Complaint" means any grievance against a health plan company that is not the subject of litigation and that has been submitted by a complainant to a health plan company regarding the provision of health services including, but not limited to, the scope of coverage for health care services; retrospective denials or limitations of payment for services; eligibility issues; denials, cancellations, or nonrenewals of coverage; administrative operations; and the quality, timeliness, and appropriateness of health care services rendered. If the complaint is from an applicant, the complaint must relate to the application. If the complaint is from a former enrollee, the complaint must relate to services received during the period of time the individual was an enrollee. Any grievance requiring a medical determination in its resolution must be processed under the appeal procedure described in section 62M.06.

Subd. 3. [COMPLAINANT.] "Complainant" means an enrollee, applicant, or former enrollee, or anyone acting on behalf of an enrollee, applicant, or former enrollee who submits a complaint.

Sec. 34. [62Q.69] [COMPLAINT RESOLUTION.]

Subdivision 1. [ESTABLISHMENT.] Each health plan company must establish and maintain an internal complaint resolution process that meets the requirements of this section to provide for the resolution of a complaint initiated by a complainant.

Subd. 2. [PROCEDURES FOR FILING A COMPLAINT.] (a) A complainant may submit a complaint to a health plan company either by telephone or in writing. If a complaint is submitted orally and the resolution of the complaint is partially or wholly adverse to the complainant, or the oral complaint is not resolved by the health plan company within ten days of receiving the complaint, the health plan company must inform the complainant that the complaint may be submitted in writing and must promptly mail a complaint form to the complainant. The complaint form must include the following information:

(1) the telephone number of the office of health care consumer assistance, advocacy, and information, and the health plan company member services or other departments or persons equipped to advise complainants on complaint resolution;

(2) the address to which the form must be sent;

(3) a description of the health plan company's internal complaint procedure and the applicable time limits; and

(4) the toll-free telephone number of either the commissioner of health or commerce and notification that the complainant has the right to submit the complaint at any time to the appropriate commissioner for investigation.

(b) Upon receipt of a written complaint, the health plan company must notify the complainant within ten business days that the complaint was received, unless the complaint is resolved to the satisfaction of the complainant within the ten business days.

(c) At the complainant's request, a health plan company must provide a complainant with any assistance needed to file a written complaint.

(d) Each health plan company must provide, in the member handbook, subscriber contract, or certification of coverage, a clear and concise description of how to submit a complaint and a statement that, upon request, assistance in submitting a written complaint is available from the health plan company.

Subd. 3. [NOTIFICATION OF COMPLAINT DECISIONS.] (a) The health plan company must notify the complainant in writing of its decision and the reasons for it as soon as practical but in no case later than 30 days after receipt of a written complaint.

(b) If the decision is partially or wholly adverse to the complainant, the notification must inform the complainant of the right to appeal the decision to either:

(1) the health plan company's internal appeal process described in section 62Q.70 and the procedure for initiating an appeal; or

(2) the external appeal process described in section 62Q.73 and the procedure for initiating the external process.

(c) The notification must also inform the complainant of the right to submit the complaint at any time to either the commissioner of health or commerce for investigation and the toll-free telephone number of the appropriate commissioner.

Sec. 35. [62Q.70] [APPEAL OF THE COMPLAINT DECISION.]

Subdivision 1. [ESTABLISHMENT.] (a) Each health plan company shall establish an internal appeal process for reviewing a health plan company's decision regarding a complaint filed in accordance with section 62Q.69. The appeal process must meet the requirements of this section.

(b) The person or persons with authority to resolve or recommend the resolution of the internal appeal must not be solely the same person or persons who made the complaint decision under section 62Q.69.

(c) The internal appeal process must permit the receipt of testimony, correspondence, explanations, or other information from the complainant, staff persons, administrators, providers, or other persons as deemed necessary by the person or persons investigating or presiding over the appeal.

Subd. 2. [PROCEDURES FOR FILING AN APPEAL.] If a complainant notifies the health plan company of the complainant's desire to appeal the health plan company's decision regarding the complaint through the internal appeal process, the health plan company must provide the complainant the option for the appeal to occur either in writing or by hearing.

Subd. 3. [NOTIFICATION OF APPEAL DECISIONS.] (a) Written notice of the appeal decision and all key findings must be given to the complainant within 30 days of the health plan company's receipt of the complainant's written notice of appeal.

(b) If the appeal decision is partially or wholly adverse to the complainant, the notice must advise the complainant of the right to submit the appeal decision to the external review process described in section 62Q.73 and the procedure for initiating the review process.

(c) Upon the request of the complainant, the health plan company must provide the complainant with a complete summary of the appeal decision.

Sec. 36. [62Q.71] [NOTICE TO ENROLLEES.]

Each health plan company shall provide to enrollees a clear and concise description of their complaint resolution procedure and the procedure used for utilization review as defined under chapter 62M as part of the member handbook, subscriber contract, or certificate of coverage. The description must specifically inform enrollees:

- (1) how to submit a complaint to the health plan company;
- (2) if the health plan includes utilization review requirements, how to notify the utilization review organization in a timely manner and how to obtain certification for health care services;
- (3) how to request an appeal either through the procedures described in sections 62Q.69 and 62Q.70 or through the procedures described in chapter 62M;
- (4) of the right to file a complaint with either the commissioner of health or commerce at any time during the complaint and appeal process;
- (5) the toll-free telephone number of the appropriate commissioner;
- (6) the telephone number of the office of consumer assistance, advocacy, and information; and
- (7) of the right to obtain an external appeal under section 62Q.73 and a description of when and how that right may be exercised.

Sec. 37. [62Q.72] [RECORDKEEPING; REPORTING.]

Subdivision 1. [RECORDKEEPING.] Each health plan company shall maintain records of all enrollee complaints and their resolutions. These records shall be retained for five years and shall be made available to the appropriate commissioner upon request.

Subd. 2. [REPORTING.] Each health plan company shall submit to the appropriate commissioner, as part of the company's annual filing, data on the number and type of complaints that are not resolved within 30 days. A health plan company shall also make this information available to the public upon request.

Sec. 38. [62Q.73] [EXTERNAL REVIEW OF ADVERSE DETERMINATIONS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the term defined in this subdivision has the meaning given it.

(b) An adverse determination means:

- (1) a complaint decision relating to a health care service or claim made in accordance with section 62Q.67 or an appeal decision made in accordance with section 62Q.68 that is partially or wholly adverse to the complainant; or
- (2) any initial determination not to certify made in accordance with section 62M.05 or an appeal made in accordance with section 62M.06 that does not reverse an initial determination not to certify.

An adverse determination does not include complaints relating to fraudulent marketing practices or agent misrepresentation.

Subd. 2. [RIGHT TO EXTERNAL REVIEW.] (a) Any enrollee or anyone acting on behalf of an enrollee who has received an adverse determination may submit a written request for an external review of the adverse determination.

(b) If an enrollee requests an external review, the health plan company must participate in the external review.

Subd. 3. [CONTRACT.] Pursuant to a request for proposal, the commissioner of administration, in consultation with the commissioners of health and commerce, shall contract with an organization or business entity to provide independent external reviews of all adverse determinations submitted for external review.

Subd. 4. [CRITERIA.] The request for proposal must require that the entity be affiliated with an institution of higher learning and demonstrate:

(1) no conflicts of interest in that it is not owned, a subsidiary of, or affiliated with a health plan company or utilization review organization;

(2) an expertise in dispute resolution;

(3) an expertise in health related law;

(4) an ability to conduct reviews using a variety of procedures depending upon the nature of the dispute;

(5) an ability to provide data to the commissioners of health and commerce on the resolution of reviews; and

(6) an ability to ensure confidentiality of medical records and other enrollee information.

Subd. 5. [PROCESS.] (a) Upon receiving a request for an external review, the external review entity must provide immediate notice of the review to the enrollee and to the health plan company. Within ten business days of receiving notice of the review, the health plan company and the enrollee must provide the external review entity with any information that they wish to be considered. Each party shall be provided an opportunity to present its version of the facts and arguments. An enrollee may be assisted or represented by a person of the enrollee's choice.

(b) As part of the external review process, an independent medical opinion may be sought or a medical review panel may be established to provide additional technical expertise.

(c) An external review shall be made as soon as practical but in no case later than 40 days after receiving the request for an external review and must promptly send written notice of the decision and the reasons for it to the enrollee and the health plan company.

Subd. 6. [EFFECTS OF EXTERNAL REVIEW.] A decision rendered under this section shall be nonbinding on the enrollee and binding on the health plan company. The health plan company may seek judicial review of the decision on the grounds that the decision was arbitrary and capricious or involved an abuse of discretion.

Subd. 7. [IMMUNITY FROM CIVIL LIABILITY.] A person who participates in an external review by investigating, reviewing materials, providing technical expertise, or rendering a decision shall not be civilly liable for any action that is taken in good faith, that is within the scope of the person's duties, and that does not constitute willful or reckless misconduct.

Subd. 8. [ATTORNEY FEES.] The commissioner may award attorney fees to the enrollee if the commissioner determines such an award is warranted.

Subd. 9. [DATA PRIVACY.] Any medical record provided for the purpose of conducting an external review shall remain confidential and shall be used only for the purpose of rendering a decision under this section.

Subd. 10. [DATA REPORTING.] (a) The entity conducting the external review must provide the commissioner with the number of reviews heard and a summary of each decision rendered, including its disposition.

(b) The commissioners shall make available to the public, upon request, summary data on the decisions rendered under this section, including the number of reviews heard and decided and the final outcomes.

Sec. 39. Minnesota Statutes 1998, section 62T.04, is amended to read:

62T.04 [COMPLAINT SYSTEM.]

Accountable provider networks must establish and maintain an enrollee complaint system as required under ~~section 62Q.105~~ sections 62Q.68 to 62Q.72. The accountable provider network may contract with the health care purchasing alliance or a vendor for operation of this system.

Sec. 40. Minnesota Statutes 1998, section 72A.201, subdivision 4, is amended to read:

Subd. 4. [STANDARDS FOR CLAIM FILING AND HANDLING.] The following acts by an insurer, an adjuster, a self-insured, or a self-insurance administrator constitute unfair settlement practices:

(1) except for claims made under a health insurance policy, after receiving notification of claim from an insured or a claimant, failing to acknowledge receipt of the notification of the claim within ten business days, and failing to promptly provide all necessary claim forms and instructions to process the claim, unless the claim is settled within ten business days. The acknowledgment must include the telephone number of the company representative who can assist the insured or the claimant in providing information and assistance that is reasonable so that the insured or claimant can comply with the policy conditions and the insurer's reasonable requirements. If an acknowledgment is made by means other than writing, an appropriate notation of the acknowledgment must be made in the claim file of the insurer and dated. An appropriate notation must include at least the following information where the acknowledgment is by telephone or oral contact:

- (i) the telephone number called, if any;
- (ii) the name of the person making the telephone call or oral contact;
- (iii) the name of the person who actually received the telephone call or oral contact;
- (iv) the time of the telephone call or oral contact; and
- (v) the date of the telephone call or oral contact;

(2) failing to reply, within ten business days of receipt, to all other communications about a claim from an insured or a claimant that reasonably indicate a response is requested or needed;

(3) unless provided otherwise by law or in the policy, failing to complete its investigation and inform the insured or claimant of acceptance or denial of a claim within 30 business days after receipt of notification of claim unless the investigation cannot be reasonably completed within that time. In the event that the investigation cannot reasonably be completed within that time, the insurer shall notify the insured or claimant within the time period of the reasons why the investigation is not complete and the expected date the investigation will be complete. ~~For~~ Claims made under a health policy the notification of claim must be in writing must be processed in accordance with sections 62Q.68 to 62Q.73;

(4) where evidence of suspected fraud is present, the requirement to disclose their reasons for failure to complete the investigation within the time period set forth in clause (3) need not be specific. The insurer must make this evidence available to the department of commerce if requested;

(5) failing to notify an insured who has made a notification of claim of all available benefits or coverages which the insured may be eligible to receive under the terms of a policy and of the documentation which the insured must supply in order to ascertain eligibility;

(6) unless otherwise provided by law or in the policy, requiring an insured to give written notice of loss or proof of loss within a specified time, and thereafter seeking to relieve the insurer of its obligations if the time limit is not complied with, unless the failure to comply with the time limit prejudices the insurer's rights and then only if the insurer gave prior notice to the insured of the potential prejudice;

(7) advising an insured or a claimant not to obtain the services of an attorney or an adjuster, or representing that payment will be delayed if an attorney or an adjuster is retained by the insured or the claimant;

(8) failing to advise in writing an insured or claimant who has filed a notification of claim known to be unresolved, and who has not retained an attorney, of the expiration of a statute of limitations at least 60 days prior to that expiration. For the purposes of this clause, any claim on which the insurer has received no communication from the insured or claimant for a period of two years preceding the expiration of the applicable statute of limitations shall not be considered to be known to be unresolved and notice need not be sent pursuant to this clause;

(9) demanding information which would not affect the settlement of the claim;

(10) unless expressly permitted by law or the policy, refusing to settle a claim of an insured on the basis that the responsibility should be assumed by others;

(11) failing, within 60 business days after receipt of a properly executed proof of loss, to advise the insured of the acceptance or denial of the claim by the insurer. No insurer shall deny a claim on the grounds of a specific policy provision, condition, or exclusion unless reference to the provision, condition, or exclusion is included in the denial. The denial must be given to the insured in writing with a copy filed in the claim file;

(12) denying or reducing a claim on the basis of an application which was altered or falsified by the agent or insurer without the knowledge of the insured;

(13) failing to notify the insured of the existence of the additional living expense coverage when an insured under a homeowners policy sustains a loss by reason of a covered occurrence and the damage to the dwelling is such that it is not habitable;

(14) failing to inform an insured or a claimant that the insurer will pay for an estimate of repair if the insurer requested the estimate and the insured or claimant had previously submitted two estimates of repair.

Sec. 41. Minnesota Statutes 1998, section 72A.201, subdivision 4a, is amended to read:

Subd. 4a. [STANDARDS FOR PREAUTHORIZATION APPROVAL.] If a policy of accident and sickness insurance or a subscriber contract requires preauthorization approval for any nonemergency services or benefits, the decision to approve or disapprove the requested services or benefits must be ~~communicated to the insured or the insured's health care provider within ten business days of the preauthorization request provided that all information reasonably necessary to make a decision on the request has been made available to the insurer~~ processed in accordance with section 62M.07.

Sec. 42. Minnesota Statutes 1998, section 256B.692, subdivision 2, is amended to read:

Subd. 2. [DUTIES OF THE COMMISSIONER OF HEALTH.] Notwithstanding chapters 62D and 62N, a county that elects to purchase medical assistance and general assistance medical care in return for a fixed sum without regard to the frequency or extent of services furnished to any particular enrollee is not required to obtain a certificate of authority under chapter 62D or 62N. A county that elects to purchase medical assistance and general assistance medical care services under this section must satisfy the commissioner of health that the requirements of chapter

62D, applicable to health maintenance organizations, or chapter 62N, applicable to community integrated service networks, will be met. A county must also assure the commissioner of health that the requirements of sections 62J.041; 62J.48; 62J.71 to 62J.73; 62M.01 to 62M.16; all applicable provisions of chapter 62Q, including sections 62Q.07; 62Q.075; ~~62Q.105~~; 62Q.1055; 62Q.106; ~~62Q.11~~; 62Q.12; 62Q.135; 62Q.14; 62Q.145; 62Q.19; 62Q.23, paragraph (c); ~~62Q.30~~; 62Q.43; 62Q.47; 62Q.50; 62Q.52 to 62Q.56; 62Q.58; 62Q.64; ~~62Q.68 to 62Q.72~~; and 72A.201 will be met. All enforcement and rulemaking powers available under chapters 62D, 62J, 62M, 62N, and 62Q are hereby granted to the commissioner of health with respect to counties that purchase medical assistance and general assistance medical care services under this section.

Sec. 43. [REPEALER.]

Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; 62Q.11; and 62Q.30, are repealed.

Minnesota Rules, parts 4685.0100, subparts 4 and 4a; and 4685.1700, are repealed."

Delete the title and insert:

"A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external appeal process; amending Minnesota Statutes 1998, sections 62D.11, subdivision 1; 62M.01; 62M.02, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, 12, 17, 20, 21, and by adding a subdivision; 62M.03, subdivisions 1 and 3; 62M.04, subdivisions 1, 2, 3, and 4; 62M.05; 62M.06; 62M.07; 62M.09, subdivision 3; 62M.10, subdivisions 2, 5, and 7; 62M.12; 62M.15; 62Q.106; 62Q.19, subdivision 5a; 62T.04; 72A.201, subdivisions 4 and 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; 62Q.11; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; and 4685.1700."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1600, A bill for an act relating to health; providing for disposition of tobacco settlement money; establishing the Minnesota families foundation; creating health-related endowment funds; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 10; 16A; 137; 144; and 145.

Reported the same back with the following amendments:

Page 1, line 25, delete "senate" and insert "subcommittee on committees of the senate committee on rules and administration"

Page 1, line 26, before "house" insert "speaker of the"

Page 2, line 2, delete "; REMOVAL" and delete "Board members" and insert "The terms of the board members shall be four years with the terms ending on the first Monday in January. All board members may serve until their successors are appointed, but in no case later than July 1 in a year in which a term expires unless reappointed. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment."

Page 2, delete lines 3 to 16

Page 2, line 17, delete "shall" and insert "must not be paid a per diem, but must"

Page 2, line 36, delete "95" and insert "85"

Page 4, line 5, delete "January" and insert "July"

Page 4, line 6, delete "2001" and insert "2000"

Page 5, line 12, after "sections" insert "10.57,"

Page 5, line 32, after "university" insert "and the Mayo foundation"

Page 7, line 8, after "programs" insert "at the university academic health center"

Page 7, line 9, after "Minnesota" insert "and its affiliated teaching hospitals and the Mayo foundation"

Page 7, line 12, after "the" insert "university"

Page 7, line 13, before the period, insert "and its affiliated teaching hospitals"

Page 7, line 14, delete "Twenty-five" and insert "8.33"

Page 7, after line 17, insert:

"(d) 8.33 percent of the annual appropriation from the endowment fund shall be transferred annually by the board of regents to the Mayo foundation for medical research costs and is available only if matched dollar-for-dollar by nonstate funds.

(e) 8.34 percent of the annual appropriation from the endowment fund shall be budgeted by the board of regents for the purpose of collaborative medical research between the university and the Mayo foundation and is available only if matched dollar-for-dollar with nonstate funds. Notwithstanding the provisions of subdivision 4, paragraph (a), the board of regents and the Mayo foundation shall jointly establish a collaborative medical research committee to evaluate and select collaborative research projects and award funds specifically budgeted for collaborative medical research projects. The collaborative medical research committee shall consist of five members, one of whom shall be the commissioner of health. The board of regents and the Mayo foundation shall each appoint two members to the committee."

Page 7, line 18, after "regents" insert "in consultation with the Mayo foundation"

Page 8, line 9, after the period, insert "Notwithstanding the provisions of section 62J.69, money that is appropriated under this section may be used by the commissioner for grants to support medical research, including medical research activities that are conducted in a noneducational setting by a Minnesota-based nonprofit organization."

Page 8, line 24, delete "chapter 145A" and insert "section 145A.13"

Page 8, after line 29, insert:

"Sec. 6. [MINNESOTA FAMILIES FOUNDATION; INITIAL TERMS OF BOARD.]

(a) The initial appointments made under Minnesota Statutes, section 10.57, subdivision 2, clauses (1) and (2), must be made as soon as possible after the effective date of that section and this section, to terms that begin on July 1, 1999. The initial members appointed by the governor must be appointed as follows: one for a term of one and one-half years, one for a term of two and one-half years, one for a term of three and one-half years, and one for a term of four and one-half years. Half of the initial members appointed by the appointing authority of each body of the legislature must be appointed for a term of two and one-half years, and half for a term of four and one-half years.

The initial members appointed by the board itself must be appointed to terms that begin on January 1, 2000, as follows: one for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years.

(b) After the expiration of the initial terms, the terms of all board members are as provided in Minnesota Statutes, section 10.57, subdivisions 2 and 3."

Page 9, line 14, delete "and 2" and insert ", 2, and 6"

Page 9, line 15, delete "7" and insert "5, 7, and 8"

Renumber the sections in sequence

With the recommendation that when so amended the bill be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy without further recommendation.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1668, A bill for an act relating to liens; establishing a lien for commercial real estate broker commissions; proposing coding for new law in Minnesota Statutes, chapter 514.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 1680, A bill for an act relating to spoken language interpreters; establishing voluntary registration programs for general and specialized interpreters and health care interpreters; requesting a pilot training program for spoken language interpreters to be developed; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 16F.

Reported the same back with the following amendments:

Page 1, line 25, delete "patients" and insert "consumers"

Amend the title as follows:

Page 1, line 4, delete "and health care interpreters"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Higher Education Finance.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1689, A bill for an act relating to property; increasing parental and guardian liability for damage done by minors; providing for the liability of parents or guardians for court-ordered restitution in the case of minors; amending Minnesota Statutes 1998, sections 540.18, subdivision 1; 609.556, by adding a subdivision; 611A.04, by adding a subdivision; and 611A.045, subdivision 1, and by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Crime Prevention.

The report was adopted.

Smith from the Committee on Civil Law to which was referred:

H. F. No. 1704, A bill for an act relating to local government; limiting regulation and causes of action by political subdivisions against firearms industry; amending Minnesota Statutes 1998, section 471.633.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 1707, A bill for an act relating to public safety; prohibiting use of the requirement to register as a sex offender as negotiable item in plea negotiations; amending Minnesota Statutes 1998, section 243.166, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1724, A bill for an act relating to the city of Mountain Iron; exempting a tax increment financing district from certain restriction under general law.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes without further recommendation.

The report was adopted.

Dauids from the Committee on Commerce to which was referred:

H. F. No. 1968, A bill for an act relating to insurance; making changes in Medicare supplemental insurance required by federal law; amending Minnesota Statutes 1998, sections 62A.31, subdivisions 1, 3, and by adding a subdivision; and 62A.43, subdivision 4.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 7, 186, 270, 408, 614, 747, 817, 878, 982, 1038, 1126, 1169, 1183, 1195, 1216, 1258, 1303, 1359, 1414, 1535, 1555, 1565, 1595, 1668, 1704, 1707 and 1968 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 129, 333, 609 and 1176 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sviggum introduced:

H. F. No. 2026, A bill for an act relating to tax increment financing; modifying the rule allowing use of economic development districts for commercial developments in small cities; amending Minnesota Statutes 1998, sections 469.174, subdivision 27; and 469.176, subdivision 4c.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Storm introduced:

H. F. No. 2027, A bill for an act relating to local government; permitting the city of St. Peter to lay dark fiber optic cable.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Seagren; Larson, D.; Lenczewski; Wolf and Larsen, P., introduced:

H. F. No. 2028, A bill for an act relating to fiscal disparities; deleting a required adjustment to the city of Bloomington's fiscal disparities contribution; amending Minnesota Statutes 1998, section 473F.08, subdivision 3a.

The bill was read for the first time and referred to the Committee on Taxes.

Van Dellen introduced:

H. F. No. 2029, A bill for an act relating to the city of Plymouth; tax increment financing; waiving the local contribution requirement for a district.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Van Dellen introduced:

H. F. No. 2030, A bill for an act relating to taxation; providing that payments for certain examinations are exempt from the tax on health care providers; amending Minnesota Statutes 1998, sections 295.50, subdivision 4; and 295.53, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Kubly introduced:

H. F. No. 2031, A bill for an act relating to taxation; aggregate production tax; allowing Renville county to impose the tax; amending Minnesota Statutes 1998, section 298.75, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Gunther; Rhodes; Storm; Juhnke; Rukavina; Clark, K., and Winter introduced:

H. F. No. 2032, A bill for an act relating to the housing finance agency; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Buesgens, Mares, Greiling, McGuire and Dempsey introduced:

H. F. No. 2033, A bill for an act relating to education funding; authorizing a grant for support of the National Association of Student Councils' 1999 National Convention; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Entenza, Kielkucki, Biernat, Mares and Nornes introduced:

H. F. No. 2034, A bill for an act relating to education; establishing a grant program to prevent violence through the creation and development of songs, performances, and educational resources; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Tunheim introduced:

H. F. No. 2035, A bill for an act relating to water; modifying certain shoreland standards; proposing coding for new law in Minnesota Statutes, chapter 103F.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Hackbarth introduced:

H. F. No. 2036, A bill for an act relating to natural resources; modifying an appropriation to Anoka county for trails; amending Laws 1998, chapter 404, section 7, subdivision 23.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Hackbarth introduced:

H. F. No. 2037, A bill for an act relating to highways; providing a remedy for town roads that do not provide adequate turnaround space at cul-de-sacs and dead ends; increasing amount that may be spent on a town road by order of a county board; amending Minnesota Statutes 1998, section 163.16, subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Mullery introduced:

H. F. No. 2038, A bill for an act relating to crime; providing a mandatory minimum sentence for certain persons who possess a firearm with an altered or removed serial number or with no serial number; amending Minnesota Statutes 1998, section 609.11, subdivision 5.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Mullery introduced:

H. F. No. 2039, A bill for an act relating to corrections; prohibiting sex offenders who are classified in risk level III under the community notification law from residing within 500 feet of another level III offender after release from confinement; amending Minnesota Statutes 1998, section 244.052, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Mullery introduced:

H. F. No. 2040, A bill for an act relating to retirement; modifying terms of the supplemental retirement program in Hennepin county; amending Minnesota Statutes 1998, sections 383B.49; and 383B.493.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Kuisle; Westrom; Clark, K.; Juhnke and Biernat introduced:

H. F. No. 2041, A bill for an act relating to transportation; appropriating money for planning and design of personal rapid transit.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Bishop introduced:

H. F. No. 2042, A bill for an act relating to Minnesota Statutes; repealing various statutory provisions; repealing Minnesota Statutes 1998, sections 42.03; 152.02, subdivision 10; 169.01, subdivision 18; 169.03, subdivision 7; 169.38; 169.901; 609.293; 609.34; 609.551; 617.251; and 624.65.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Tuma introduced:

H. F. No. 2043, A bill for an act relating to human services; transferring funding for certain ICF/MR's; amending Laws 1995, chapter 207, article 3, section 21.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Anderson, B., introduced:

H. F. No. 2044, A bill for an act relating to employment; raising burial expense reimbursement; modifying occupational safety and health provisions; amending Minnesota Statutes 1998, sections 176.111, subdivision 18; 182.6625; and 182.666.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Bishop, Stanek, Broecker, Skoglund and Murphy introduced:

H. F. No. 2045, A bill for an act relating to public safety training; appropriating money to develop plans for the construction and operation of a southeastern Minnesota regional public safety training center.

The bill was read for the first time and referred to the Committee on Judiciary Finance.

Hausman introduced:

H. F. No. 2046, A bill for an act relating to appropriations; appropriating money for a new soccer stadium for the University of Minnesota, predominantly for the women's program.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Mulder, Carlson and Tunheim introduced:

H. F. No. 2047, A bill for an act relating to health; requesting that the University of Minnesota establish and administer a rural preventative health care program; requesting that the University of Minnesota operate a rural medical community information resource system for health care providers in rural areas; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Murphy, Bakk and Huntley introduced:

H. F. No. 2048, A bill for an act relating to education; permitting independent school district No. 704, Proctor, to include safety improvements to an ice arena in its health and safety program.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Harder introduced:

H. F. No. 2049, A bill for an act relating to agriculture; changing pesticide registration and aquatic pest control licensing provisions; clarifying a fertilizer reporting requirement; repealing obsolete rules; amending Minnesota Statutes 1998, sections 18B.26, subdivisions 1, 3, and 6; 18B.315, subdivisions 3, 4, and 6; and 18C.421, subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Skoglund introduced:

H. F. No. 2050, A bill for an act relating to crimes; changing the requirements for the use of electronic alcohol monitoring during probation following conviction for certain repeat DWI offenses; amending Minnesota Statutes 1998, section 169.121, subdivision 3f.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Huntley and Jaros introduced:

H. F. No. 2051, A bill for an act relating to retirement; Duluth firefighter consolidation account; providing for a surviving spouse benefit increase; amending Minnesota Statutes 1998, section 353B.11, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Kielkucki and Ness introduced:

H. F. No. 2052, A bill for an act relating to state lands; authorizing private sale of certain surplus state land in Wright county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Greenfield and Seifert, J., introduced:

H. F. No. 2053, A bill for an act relating to human services; providing medical assistance coverage for certified neonatal nurse practitioners; amending Minnesota Statutes 1998, section 256B.0625, subdivision 28.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Wenzel, Westrom, Rostberg, Westfall, Peterson, Kubly, Schumacher, Otremba, Davids, Juhnke, Swenson, Wejcman, Gunther and Winter introduced:

H. F. No. 2054, A bill for an act relating to agriculture; creating the dairy farming task force; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Workman, Krinkie, Rifenberg, Storm, Tuma, Bradley, Kuisle, Osskopp and Van Dellen introduced:

H. F. No. 2055, A bill for an act relating to local government; providing for certain local government fees; proposing coding for new law in Minnesota Statutes, chapter 462.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Carlson, Mares and Kahn introduced:

H. F. No. 2056, A bill for an act relating to higher education; directing the regent candidate advisory council to change its recommendation process; amending Minnesota Statutes 1998, section 137.0245, subdivision 4.

The bill was read for the first time and referred to the Committee on Education Policy.

Gleason; Larson, D.; Paymar; Wagenius; Haake; Orfield; Hausman and Rhodes introduced:

H. F. No. 2057, A bill for an act relating to public administration; limiting government purchases of airline tickets; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Carruthers, Broecker, Smith, McGuire and Leighton introduced:

H. F. No. 2058, A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private and nonpublic; proposing coding for new law in Minnesota Statutes 1998, chapter 13.

The bill was read for the first time and referred to the Committee on Civil Law.

Folliard; Pugh; Tuma; Carlson; Mares; Greiling; Koskinen; Biernat; Otremba; Gleason; Gray; Kahn; Tomassoni; Johnson; Leppik; Kelliher; Hausman; Larson, D.; Milbert; Dorn; Orfield; Mariani; Luther; Schumacher; Chaudhary; Mahoney; Entenza; Wagenius; Jennings; Pelowski; Cassell; Trimble; Dehler; Leighton and Tunheim introduced:

H. F. No. 2059, A bill for an act relating to education; enhancing teacher preparation; fostering first year teacher induction programs; supporting teacher of color programs; encouraging teachers to participate in the national board for professional teaching standards certification process; appropriating money; amending Laws 1997, First Special Session chapter 4, article 5, section 22; proposing coding for new law in Minnesota Statutes, chapter 122A.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Fuller introduced:

H. F. No. 2060, A bill for an act relating to corrections; authorizing Minnesota correctional facility-Sauk Centre to accept youth on parole status; amending Laws 1997, chapter 239, article 9, section 43.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Ozment and Dempsey introduced:

H. F. No. 2061, A bill for an act relating to conservation easements; authorizing local bonding to acquire conservation easements; amending Minnesota Statutes 1998, sections 373.40, subdivision 1; 375.18, subdivision 12; and 475.52, subdivisions 1, 3, and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Carruthers, Stanek, Van Dellen, Carlson and Abrams introduced:

H. F. No. 2062, A bill for an act relating to public safety; appropriating money for driver improvement pilot project.

The bill was read for the first time and referred to the Committee on Transportation Finance.

McElroy and Gunther introduced:

H. F. No. 2063, A bill for an act relating to economic development; eliminating the World Trade Center Corporation and transferring its assets and certain functions to the department of trade and economic development; repealing Minnesota Statutes 1998, sections 44A.001; 44A.01; 44A.02; 44A.023; 44A.025; 44A.031; 44A.0311; 44A.06; 44A.08; and 44A.11.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Carruthers and Luther introduced:

H. F. No. 2064, A bill for an act relating to tax increment financing; exempting certain superfund sites from fiscal disparities; amending Minnesota Statutes 1998, section 469.177, subdivision 3.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Ness, Mares, Carlson, Dorn, Olson, Cassell and Erickson introduced:

H. F. No. 2065, A bill for an act relating to education; providing funding to establish norm references for the state's third and fifth grade reading, mathematics, and writing tests and the eighth grade basic skills reading and mathematics tests; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Greenfield, Wejcman, Mariani and Gray introduced:

H. F. No. 2066, A bill for an act relating to health; establishing an office of minority health in the department of health; specifying powers and duties of the office; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Westerberg introduced:

H. F. No. 2067, A bill for an act relating to juvenile justice; when an extended jurisdiction juvenile offender has stayed sentence executed for violation of stay no credit is granted for time in juvenile facility; amending Minnesota Statutes 1998, section 260.126, subdivision 5.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Jaros introduced:

H. F. No. 2068, A bill for an act relating to retirement; teachers retirement association; authorizing certain former teachers to purchase service credit for periods of employment by the Lydia special education co-op.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Jaros introduced:

H. F. No. 2069, A bill for an act relating to human services; changing the MFIP cash grant for child only cases; amending Minnesota Statutes 1998, section 256J.24, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Sviggum and Abrams introduced:

H. F. No. 2070, A bill for an act relating to taxation; taconite production tax; setting a permanent tax rate; increasing certain distributions to the taconite economic development fund; amending Minnesota Statutes 1998, sections 298.24, subdivision 1; and 298.28, subdivision 9a.

The bill was read for the first time and referred to the Committee on Taxes.

Swenson, Lieder, Molnau and Juhnke introduced:

H. F. No. 2071, A bill for an act relating to transportation; appropriating money for county turnback account.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Westrom, Lieder, Molnau, Marko and Westfall introduced:

H. F. No. 2072, A bill for an act relating to transportation; appropriating money for local bridges.

The bill was read for the first time and referred to the Committee on Transportation Finance.

McGuire, Chaudhary, Mariani, Sykora, Mahoney and Gray introduced:

H. F. No. 2073, A bill for an act relating to child care; directing the commissioner of children, families, and learning to use state money as a match to obtain federal Welfare-to-Work grant money to provide child care assistance.

The bill was read for the first time and referred to the Committee on Family and Early Childhood Education Finance.

Marko, Workman, Hausman, Johnson and Kelliher introduced:

H. F. No. 2074, A bill for an act relating to public safety; providing for expansion and improvement of driver testing facilities and operations; requiring adult driver license applicant to hold instruction permit for six months; authorizing commissioner of public safety to include paid advertisements in department publications; appropriating money; amending Minnesota Statutes 1998, sections 171.04, subdivision 1; 171.05, subdivision 1a; and 299A.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Mahoney, McCollum, Entenza and Osthoff introduced:

H. F. No. 2075, A bill for an act relating to education; appropriating money for a stability demonstration project.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Peterson, Westrom, Trimble, Tuma and Juhnke introduced:

H. F. No. 2076, A bill for an act relating to natural resources; appropriating money to resurface a recreational trail.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Lieder introduced:

H. F. No. 2077, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Norman county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Tomassoni, McCollum, Rukavina and Bakk introduced:

H. F. No. 2078, A bill for an act relating to education; providing for public safety revenue for school districts; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Tomassoni, Rukavina and Bakk introduced:

H. F. No. 2079, A bill for an act relating to veterans; establishing free or reduced-cost health care to veterans at medical facilities and pharmacies throughout the state; proposing coding for new law in Minnesota Statutes, chapter 197.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Seifert, M., introduced:

H. F. No. 2080, A bill for an act relating to education; financing a new school powered by gasification; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Storm introduced:

H. F. No. 2081, A bill for an act relating to natural resources; appropriating money for tree planting grants in the city of St. Peter.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Nornes introduced:

H. F. No. 2082, A bill for an act relating to human services; requiring the commissioner of human services to recognize the purchase price of certain nursing facilities when determining property reimbursement rates; amending Minnesota Statutes 1998, section 256B.431, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Peterson; Seifert, M.; Tuma; Kubly and Juhnke introduced:

H. F. No. 2083, A bill for an act relating to education; providing for a grant for the colocation of the program and services of the Minnesota River Valley Education District and Southwest Minnesota Workforce Development Center; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

McCollum introduced:

H. F. No. 2084, A bill for an act relating to taxation; individual income; exempting damages awards from taxation; amending Minnesota Statutes 1998, section 290.01, subdivision 19b.

The bill was read for the first time and referred to the Committee on Taxes.

Tuma; Osskopp; Olson; Clark, J., and Storm introduced:

H. F. No. 2085, A bill for an act relating to taxation; property; prohibiting an increase in estimated market value for homesteads owned by persons at least 65 years of age; amending Minnesota Statutes 1998, sections 273.11, subdivision 5, and by adding a subdivision; 273.121; and 276.04, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Peterson, Juhnke and Westrom introduced:

H. F. No. 2086, A bill for an act relating to highways; requiring commissioner of transportation to reconstruct segments of marked trunk highways No. 7 and No. 212 as super-2 highways.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Krinkie, Abrams, Molnau, Holsten and Osthoff introduced:

H. F. No. 2087, A bill for an act relating to taxation; prohibiting the use of property taxes for light rail transit; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Taxes.

Solberg and Hilty introduced:

H. F. No. 2088, A bill for an act relating to economic development; providing for a grant to Aitkin County Growth, Inc. for payment of certain taxes; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Biernat, Erickson, Kielkucki and Entenza introduced:

H. F. No. 2089, A bill for an act relating to education; providing building lease aid to area learning centers; amending Minnesota Statutes 1998, section 123A.05, by adding a subdivision.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Cassell, Nornes, Stang and Dehler introduced:

H. F. No. 2090, A bill for an act relating to education; modifying distribution of hazing policy; amending Minnesota Statutes 1998, section 135A.155.

The bill was read for the first time and referred to the Committee on Education Policy.

Cassell, Nornes, Stang and Dehler introduced:

H. F. No. 2091, A bill for an act relating to higher education; providing funding for farm and small business management programs and tuition assistance; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Ness, Tomassoni, Schumacher, Harder, Erickson, Cassell, Kubly and Nornes introduced:

H. F. No. 2092, A bill for an act relating to education funding; restoring full funding for the interactive television program; amending Minnesota Statutes 1998, section 126C.40, subdivision 4.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Erickson, Ness, Mares, Entenza and Tomassoni introduced:

H. F. No. 2093, A bill for an act relating to education; establishing a grant program to prepare teachers to teach in urban classrooms.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Seagren introduced:

H. F. No. 2094, A bill for an act relating to education; providing funding for the collaborative urban educator, southeast Asian teacher licensure, and circles of support in educational leadership programs; allowing program graduates to receive additional salary beyond a starting salary; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Dawkins, Entenza, Skoglund, Orfield and Rukavina introduced:

H. F. No. 2095, A bill for an act relating to taxation; basing the working family credit on the federal earned income tax credit; amending Minnesota Statutes 1998, section 290.0671, subdivision 1; repealing Minnesota Statutes 1998, section 290.0671, subdivision 1a.

The bill was read for the first time and referred to the Committee on Taxes.

Westrom, Nornes, Wenzel, Kubly, Cassell and Westfall introduced:

H. F. No. 2096, A bill for an act relating to economic development; providing for a grant for community infrastructure improvements to Grant county; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Solberg and Anderson, I., introduced:

H. F. No. 2097, A bill for an act relating to education; providing a grant for a full day daily kindergarten program; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Solberg; Anderson, I., and Howes introduced:

H. F. No. 2098, A bill for an act relating to education; authorizing certain construction.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Tuma introduced:

H. F. No. 2099, A bill for an act relating to human services; modifying funding for ICF/MR services and resident relocation; amending Laws 1995, chapter 207, article 3, section 21.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Wagenius, Greenfield, McCollum, Greiling and Johnson introduced:

H. F. No. 2100, A bill for an act relating to health; requiring reimbursement for lead testing and treatment of lead poisoning in children under the age of 18 by stationary sources emitting large amounts of lead; creating civil causes of action; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Hilty and Seifert, M., introduced:

H. F. No. 2101, A bill for an act relating to governmental operations; clarifying that the government training service is not subject to the solicitation process in Minnesota Statutes, chapter 16C; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 43A.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Bakk introduced:

H. F. No. 2102, A bill for an act relating to appropriations; appropriating wastewater funding for the Larsmont design project; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Lindner introduced:

H. F. No. 2103, A bill for an act relating to appropriations; appropriating money for the council on affairs of Chicano/Latino people.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Schumacher introduced:

H. F. No. 2104, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Zimmerman; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Bishop and Solberg introduced:

H. F. No. 2105, A bill for an act relating to public finance; providing for legislative advisory commission review of certain fund purpose changes; changing and coordinating dates for submission of certain budget, target, and forecast information; adding a component to the variables in expenditure forecasts for which legislative consultation is required; deleting an obsolete requirement; amending Minnesota Statutes 1998, sections 3.3005, by adding a subdivision; 16A.102, subdivision 1; and 16A.103, subdivision 1; repealing Minnesota Statutes 1998, section 16A.103, subdivision 3.

The bill was read for the first time and referred to the Committee on Ways and Means.

Sykora, Boudreau, Chaudhary, Mahoney and Bradley introduced:

H. F. No. 2106, A bill for an act relating to child care; changing eligibility for basic sliding fee assistance; expanding the dependent care tax credit; amending Minnesota Statutes 1998, sections 119B.09, subdivisions 1 and 2; 119B.12, subdivision 2; and 290.067, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Family and Early Childhood Education Finance.

Kahn, Dawkins, Jaros, Hausman and Mariani introduced:

H. F. No. 2107, A resolution memorializing the President, Congress, and other national and international officials to immediately lift the economic sanctions against Iraq.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Abeler, Mares, Tingelstad and Johnson introduced:

H. F. No. 2108, A bill for an act relating to education; appropriating money for immunization follow-up.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Boudreau introduced:

H. F. No. 2109, A bill for an act relating to education funding; authorizing a grant to independent school district No. 656, Faribault; authorizing a local levy; authorizing a fund transfer; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Wolf and Winter introduced:

H. F. No. 2110, A bill for an act relating to energy; providing an incentive for certain small and medium-sized wind energy facilities; appropriating money; amending Minnesota Statutes 1998, section 216C.41, subdivisions 1 and 5.

The bill was read for the first time and referred to the Committee on Commerce.

Murphy introduced:

H. F. No. 2111, A bill for an act relating to taxation; allowing the city of Proctor to impose a local sales tax.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Murphy, Broecker and Hilty introduced:

H. F. No. 2112, A bill for an act relating to crime; appropriating money to reimburse Carlton county for extraordinary expenses related to criminal prosecutions.

The bill was read for the first time and referred to the Committee on Judiciary Finance.

Boudreau, Wejman, Bradley, Huntley and Tingelstad introduced:

H. F. No. 2113, A bill for an act relating to medical assistance; eliminating prepaid medical assistance for nursing home services and elderly waiver services; amending Minnesota Statutes 1998, section 256B.69, subdivision 6a; repealing Minnesota Statutes 1998, section 256B.69, subdivision 6b.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Davids, Kahn, Rhodes and Mares introduced:

H. F. No. 2114, A bill for an act relating to state government; providing an exception to the bid solicitation process for certain professional services; amending Minnesota Statutes 1998, section 16C.10, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Workman introduced:

H. F. No. 2115, A bill for an act relating to education; appropriating money for a planning grant to independent school district No. 112, Chaska.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Howes introduced:

H. F. No. 2116, A bill for an act relating to appropriations; appropriating wastewater funding for the North Ten Mile sanitary district; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Howes introduced:

H. F. No. 2117, A bill for an act relating to appropriations; appropriating wastewater funding for the East Gull Lake projects; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Howes introduced:

H. F. No. 2118, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Longville; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Rest, Carruthers, McGuire, Winter, Dawkins, Pugh and Chaudhary introduced:

H. F. No. 2119, A bill for an act relating to taxation; providing inflationary and family size adjustments to the dependent care credit, the education credit and subtraction, and the working family credit; appropriating money; amending Minnesota Statutes 1998, sections 290.01, subdivision 19b; 290.067, subdivisions 1, 2, and 2b; 290.0671, subdivision 1; and 290.0674, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Osthoff, Holsten, Ozment and Wagenius introduced:

H. F. No. 2120, A bill for an act relating to natural resources; providing for the purchase of additional critical habitat license plates; appropriating money; amending Minnesota Statutes 1998, sections 84.943, subdivisions 3 and 5; and 168.1296, subdivision 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Haas, Lindner, Luther and Carruthers introduced:

H. F. No. 2121, A bill for an act relating to highways; requiring commissioner of transportation to conduct feasibility, cost, and safety study regarding an overpass; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Entenza, Tomassoni, Kielkucki, Nornes and Johnson introduced:

H. F. No. 2122, A bill for an act relating to education; appropriating money for the center for victims of torture.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Tuma, Johnson and Kielkucki introduced:

H. F. No. 2123, A bill for an act relating to education; clarifying that representatives of advocacy organizations may serve as lay advocates; providing a one-time reimbursement for attending an individual education plan meeting, a conciliation conference or a mediation session; amending Minnesota Statutes 1998, section 125A.09, subdivision 4.

The bill was read for the first time and referred to the Committee on Education Policy.

Tuma, Greiling and Kielkucki introduced:

H. F. No. 2124, A bill for an act relating to education; developing and implementing an interagency dispute procedure affecting children with disabilities ages 3 through 21; amending Minnesota Statutes 1998, section 125A.10.

The bill was read for the first time and referred to the Committee on Education Policy.

Clark, K., introduced:

H. F. No. 2125, A bill for an act relating to cities; neighborhood revitalization; requiring cities to discharge unpaid tax obligations of certain nonprofit contractors.

The bill was read for the first time and referred to the Committee on Taxes.

Abrams and Rest introduced:

H. F. No. 2126, A bill for an act relating to tax abatement; allowing abatement of fiscal disparities; making school district abatement authority uniform with that for cities and counties; clarifying provisions; amending Minnesota Statutes 1998, sections 469.1813, subdivisions 1, 2, 3, 6, and by adding a subdivision; and 469.1815, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Abrams and Rest introduced:

H. F. No. 2127, A bill for an act relating to public finance; imposing and modifying conditions and limitations on the use of public debt; amending Minnesota Statutes 1998, sections 126C.55, subdivision 7; 272.02, by adding a subdivision; 373.01, subdivision 3; 410.32; 412.301; 469.155, subdivision 4; 474A.04, subdivision 1a; 475.56; 475.58, subdivision 1; and 475.60, subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Taxes.

McElroy and Gunther introduced:

H. F. No. 2128, A bill for an act relating to commerce; abolishing the board of boxing; authorizing the commissioner of health to study the regulation of boxing in Minnesota; amending Minnesota Statutes 1998, section 214.01, subdivision 3; repealing Minnesota Statutes 1998, sections 341.01; 341.02; 341.04; 341.045; 341.05; 341.06; 341.07; 341.08; 341.09; 341.10; 341.11; 341.115; 341.12; 341.13; and 341.15.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Broecker, Stanek, Murphy, Smith and Skoglund introduced:

H. F. No. 2129, A bill for an act relating to criminal justice; delaying the transfer of the powers, duties, and functions relating to the operating and funding of shelters for battered women from the department of human services to the crime victim services center and requiring a plan on the implementation of the transfer; removing mandatory requirements on productive day initiative programs and requiring annual reports on the programs; increasing the driver license reinstatement fee to allow the bureau of criminal apprehension to purchase laboratory supplies and equipment; transferring the office of drug policy and violence prevention and community advisory violence prevention council from the department of children, families, and learning to the department of public safety; expanding the duties of the office of drug policy and violence prevention; authorizing the commissioner of corrections to open and operate a correctional facility at Rush City; authorizing the commissioner of corrections to enter into contracts with private corporations and other governmental units for the housing of inmates; allowing the commissioner of corrections to place youth at the Minnesota correctional facility-Sauk Centre when bed space is unavailable at the Minnesota correctional facility-Red Wing; appropriating money for asset preservation and facility repair of adult and juvenile correctional institutions; appropriating money for grants to local officials for cooperative investigation of cross-jurisdictional criminal activity; amending Minnesota Statutes 1998, sections 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.31, subdivision 3; 119A.32; 119A.33; 119A.34,

subdivisions 3 and 4; 171.29, subdivision 2; and 241.275, subdivisions 1, 2, and 5; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 243; and 299A; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; and 256D.05, subdivisions 3 and 3a.

The bill was read for the first time and referred to the Committee on Judiciary Finance.

Anderson, B., introduced:

H. F. No. 2130, A bill for an act relating to children; providing for treatment of certain children in need of protection or services; requiring certain notices; imposing a criminal penalty; amending Minnesota Statutes 1998, section 260.191, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 260.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Howes, Bakk, Westfall and Swenson introduced:

H. F. No. 2131, A bill for an act relating to water; increasing the water implementation tax that may be levied by a county; increasing the amount of the base grant that may be awarded to a county that levies a water implementation tax; appropriating money; amending Minnesota Statutes 1998, section 103B.3369, subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

Greiling, Ness, Wenzel and Winter introduced:

H. F. No. 2132, A bill for an act relating to education; authorizing a planning grant to create an urban agricultural high school; appropriating money; amending Minnesota Statutes 1998, section 41D.02, subdivision 2.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Finseth introduced:

H. F. No. 2133, A bill for an act relating to local government; providing temporary local government aid increases to the cities of East Grand Forks and Warren; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

CONSENT CALENDAR

Pawlenty moved that the Consent Calendar be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Otremba moved that her name be stricken as an author on H. F. No. 802. The motion prevailed.

Bakk moved that the name of Holsten be shown as chief author on H. F. No. 866. The motion prevailed.

Larsen, P., moved that the name of Abeler be added as an author on H. F. No. 1522. The motion prevailed.

Vandever moved that the name of Abeler be added as an author on H. F. No. 1523. The motion prevailed.

Ozment moved that the name of Abeler be added as an author on H. F. No. 1552. The motion prevailed.

Harder moved that the names of Abeler and Westerberg be added as authors on H. F. No. 1571. The motion prevailed.

Chaudhary moved that the names of Koskinen and Luther be added as authors on H. F. No. 1639. The motion prevailed.

Chaudhary moved that the name of Koskinen be added as an author on H. F. No. 1640. The motion prevailed.

Seagren moved that the name of Abeler be added as an author on H. F. No. 1695. The motion prevailed.

Rostberg moved that the name of Nornes be added as an author on H. F. No. 1699. The motion prevailed.

McCullum moved that the names of Gleason, Marko and Stanek be added as authors on H. F. No. 1737. The motion prevailed.

Workman moved that the name of Westerberg be added as an author on H. F. No. 1744. The motion prevailed.

Mares moved that the name of Larson, D., be added as an author on H. F. No. 1853. The motion prevailed.

Wejcman moved that the name of Gray be added as an author on H. F. No. 1854. The motion prevailed.

Seifert, M., moved that the names of Anderson, B.; Storm; Stanek; Sykora; Reuter; Gerlach; Buesgens; Dehler; Tingelstad; Kuisle; Westerberg; Rifenberg; Stang and Paulsen be added as authors on H. F. No. 1905. The motion prevailed.

Solberg moved that the names of Howes; Anderson, I.; Bakk; Rukavina and Tomassoni be added as authors on H. F. No. 1916. The motion prevailed.

Van Dellen moved that the name of Smith be added as an author on H. F. No. 1918. The motion prevailed.

Storm moved that the names of Dorn, Harder, Gunther, Stanek and Tuma be added as authors on H. F. No. 1927. The motion prevailed.

Van Dellen moved that the name of Smith be added as an author on H. F. No. 1930. The motion prevailed.

Anderson, B., moved that the name of Wenzel be added as an author on H. F. No. 1938. The motion prevailed.

Haas moved that the names of Goodno, Rhodes, Greenfield and Wejcman be added as authors on H. F. No. 1958. The motion prevailed.

Mares moved that H. F. No. 186, now on the General Register, be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Rhodes moved that H. F. No. 217 be recalled from the Committee on Governmental Operations and Veterans Affairs Policy and be re-referred to the Committee on Health and Human Services Finance. The motion prevailed.

Pelowski moved that H. F. No. 369 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Mares moved that H. F. No. 708 be recalled from the Committee on Governmental Operations and Veterans Affairs Policy and be re-referred to the Committee on Capital Investment. The motion prevailed.

Clark, K., moved that H. F. No. 712 be recalled from the Committee on Transportation Policy and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Clark, K., moved that H. F. No. 791 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Koskinen moved that H. F. No. 846 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Commerce. The motion prevailed.

Holsten moved that H. F. No. 1092 be recalled from the Committee on Environment and Natural Resources Finance and be re-referred to the Committee on Taxes. The motion prevailed.

Ozment moved that H. F. No. 1110 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Hausman moved that H. F. No. 1321 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Ozment moved that H. F. No. 1396 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Mariani moved that H. F. No. 1518 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Seifert, M., moved that H. F. No. 1567 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Capital Investment. The motion prevailed.

Westerberg moved that H. F. No. 1756 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Jobs and Economic Development Finance. The motion prevailed.

Solberg moved that H. F. No. 1791 be recalled from the Committee on Transportation Policy and be re-referred to the Committee on Capital Investment. The motion prevailed.

Fuller moved that H. F. No. 1837 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Broecker moved that H. F. No. 1901 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Bishop moved that H. F. No. 2021 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Broecker moved that H. F. No. 2129 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Crime Prevention. The motion prevailed.

Skoglund moved that H. F. No. 1588 be returned to its author. The motion prevailed.

Skoglund moved that H. F. No. 1589 be returned to its author. The motion prevailed.

McCollum, Kubly, Ozment, Westfall and Anderson, I., introduced:

House Resolution No. 6, A house resolution honoring the Veterans of Foreign Wars on the occasion of its Centennial celebration.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 18, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 18, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

